ACCURACY IN ADVERTISING

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ACCURACY IN ADVERTISING

An analysis and comparison of display advertising in the newspapers of Lancaster and Philadelphia Pennsylvania to determine its expressed truth or falsity.

by

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A Thesis in

Business Administration

Presented to the Faculty of the College of Business Administration of Boston University in Partial Fulfillment of the Requirements for the Degree of Master of Business Administration.

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To

My First Teacher of Advertising

PROFESSOR CHARLES E. BELLATTY

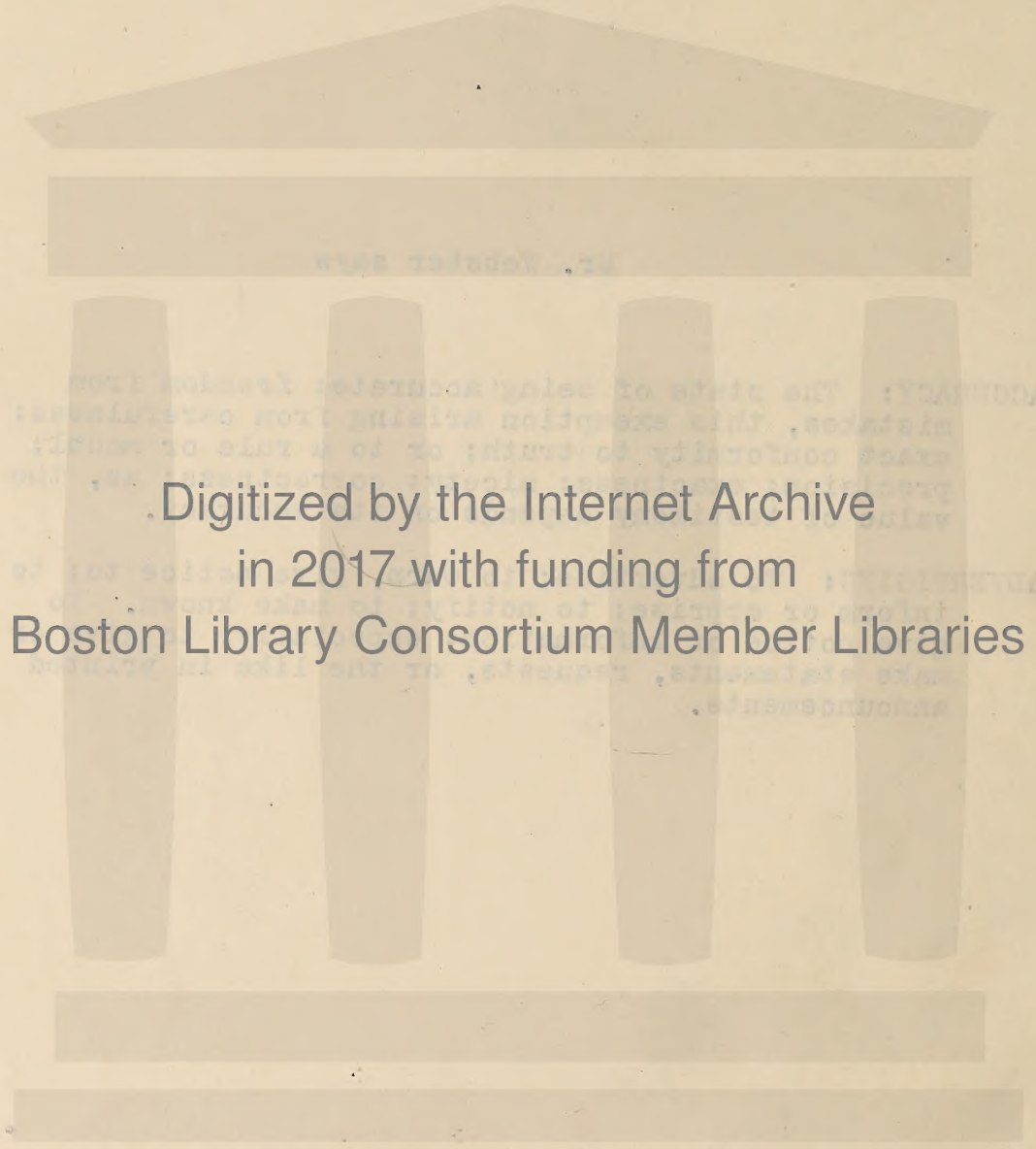
in Grateful Recognition

"Tricks and Perjury are the Practice of Fools
that have not Enough Wit to be Honest." -- Poor Richard -

Mr. Webster says

ACCURACY: The state of being accurate; freedom from mistakes, this exemption arising from carefulness; exact conformity to truth; or to a rule or model; precision; exactness; nicety; correctness; as, the value of testimony depends on its accuracy.

ADVERTISING: To advertise; to warn, give notice to; to inform or apprise; to notify; to make known. To give notice or information; especially, to give or make statements, requests, or the like in printed announcements.



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Introduction

The Problem Presented

Advertising is now confronted with the problems of insincerity of copy and fraudulent copy. The former while not so difficult to cope with as the latter, nevertheless demands the fullest attention of all who want to keep advertising a clean and profitable selling tool. Exaggerated copy, unlike fraudulent advertising, is not always designed to mislead the public intentionally. Regardless of the copy writer's intentions, the fact remains, that there is an annual loss to the public of this country of over one billion dollars through fraud in the sale of merchandise or services. (1) Much of this needless economic waste might be prevented through the proper investigation, education and prosecution.

When the average consumer sets out to make a purchase of a pair of shoes or a new car he is confronted with problems of appalling difficulty. How can he tell which of the 400 brands of popular tooth-pastes, powders and liquids he should buy, or the several hundred different brands of shoes and the hundred or more American-made automobiles to drive home in that night? Will this brand of soap give him that school-boy complexion, or that brand of cigarettes, if he walks far enough for it, the power to

(1) Legitimate Business Pays the Swindler, pamphlet published by the National Better Business Bureau.



think for himself? Does he know whether the paint or varnish he may happen to favor because of certain advertising-psychological reasons, is non-durable, inefficient, or wasteful, and at worst useless or even harmful? The advertisements say this and they say that, but how much of it can he believe?

"Advertising as a whole is going forward. It cannot do otherwise because first-class minds are being devoted to its problems. But considered locally and specifically, here and there, there are enough instances of retrogression to draw the fire of critics and economists who deluge us with books, pamphlets and articles. Their themes range all the way from the constructive, upward urge of optimists to the savage abuse of radicals who tell us that advertising fills our lives with useless junk which we pay for by cheating the landlord, the grocer and our own children of their rightful dues and heritage. The truth is usually found somewhere between the two extremes."(2)

To command public confidence advertising must be truthful, and every intelligent advertiser appreciates this prerequisite if he understands human psychology.

To undermine public confidence is to undo all the good work accomplished over a long period of years. To claim for this article that it is "the greatest in the world", and that article, "the best made", and expect the dear public to believe it displays a surprising lack of knowledge of the reasoning processes of the average reader.

(2) Sincerity, a Power-Source for Advertising, by Mr. Rosenfels, pamphlet issued by Chicago Association of Commerce, p.1.

If advertisers in general knew that it doesn't pay to use superlatives, misrepresent quality, or resort to "trick copy" there would be little material available for a thesis of this nature.

In an effort to determine the exact status of display advertising in Lancaster, Pennsylvania, the following study suggested itself. The selection of this city was suggested by the fact that unfavorable opinions concerning the type and truthfulness of display advertising have been so frequently expressed by both those outside the city and within, that it was decided to conduct an impartial investigation to learn if there were any justification for these opinions.

Since we are living in an age when "keeping up with the Joneses" greatly motivates our thoughts and actions -- an age in which comparisons are inevitable and frequently worthy -- it was further decided to conduct a similar investigation of newspaper display advertising in another city as a basis of comparison. For this part of the experiment Philadelphia was selected because, first, it is the leading city in this state from the standpoint of population, industry, wealth and progressiveness, second, it ranks high as a city nationally from the same standpoint, third, its nearness to Lancaster tends to make the inhabitants of both cities more or less conscious of newspaper contents, and last but not least, newspaper advertising

in Philadelphia is frequently held up in this section of the state as an example of what advertising ought not to be.

This thesis is divided into three parts. Part I, including Chapters I and II, explains in detail the investigation and the results obtained. Part II, including Chapter III, discusses the various forms of unsatisfactory advertising. Part III, including Chapters IV, V, and VI, presents in detail, certain remedial measures that are available to overcome and counteract the advertising conditions and unfair trade practices explained in the preceding part.

Inaccuracy in advertising is one of the most insidious and most vicious evils which beset business today. If this study is of any assistance to business in arriving at a common understanding of advertising accuracy the author will be well recompensed for his labor. In the words of one of the country's foremost advertising leaders, "It will be a glorious day when advertising can stand and say, with fearless confidence in its own integrity and high-minded purpose: 'I am the truth'." (3)

(3) William D. McJunkin, President of McJunkin Advertising Company, Chicago.

PART I.

CHAPTER I. The Method

CHAPTER II. The Judges' Results

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Chapter I.

The Method

After determining the nature of the problem, the next matter deserving consideration was the method of approach to this problem. There are three newspapers in Lancaster, one morning and two evening papers, known as the News Journal (morning), Intelligencer (evening) and the New Era (evening). Since the News Journal and the Intelligencer were owned and operated by the same management and carried the same advertising it was decided to consider only the two evening papers for the purpose of this survey. (4) For the sake of convenience throughout this study the Intelligencer will be referred to as Paper X and the New Era as Paper Y. To prevent bias or prejudice in judging the advertisements in these papers the names "X" and "Y" were used so that those judging the advertising copy were unaware of the identity of the paper carrying the advertisements in question.

(4) Recently the Intelligencer interests bought out their competitors and consolidated the News Journal-Intelligencer as a morning paper and continued to issue the New Era as an evening paper. Formerly the New Era was a Republican organ and the Intelligencer the Democratic organ. Though now owned by Democratic interests, the New Era is theoretically published as a Republican paper in view of the widespread demand on the part of the Republicans in this district for an official organ. Advertising is now sold only at a combined rate for insertion in both publications.

In the English speaking daily newspaper field in Philadelphia, there are three morning papers and three evening papers. (5) In a scientific study of this nature it is only proper that conditions to be comparable must be as nearly similar as possible. With that thought in view, it was decided to select one evening paper and one morning paper as representative of the group. The Philadelphia Record because it is a Democratic organ was selected as representative of morning papers and the Evening Ledger because it is Republican was selected as representative of evening papers. To eliminate personal bias in the judging of advertising matter from these two papers, ~~the newspapers~~, the newspaper name in each instance was removed and the material was classified under the headings of Paper A and Paper B; Paper A representing the Record and Paper B representing the Ledger. Therefore, throughout this study these papers will be referred to as X,Y,A and B.

Length of the Investigation.-- How long should the investigation be conducted and what period should be selected were the next problems demanding consideràtion. One week was considered insufficient due to the fact that the various seasonal factors that influence advertising might be over-emphasized or utterly lacking. The same might be said of the advertising appearing in any one month. Since the problems involved a detailed analysis of all display

(5) Morning newspapers, Inquirer, Public Ledger and Record; evening newspapers, Bulletin, Daily News and Evening Ledger.

advertising run during the period under consideration and since the amount of detailed work involved and described later in this thesis would be considerable it was obvious that too long a period or too great an amount of advertising matter would be impracticable. The author then arbitrarily decided that the six month period from May to October, inclusive, in 1927 would be as representative as any other period. Since it would be impossible to consider all the advertising matter run during that period the author resorted to what statisticians call the sampling process. To get as representative a showing of display advertising as possible, both from the standpoint of months and the days within a week, he arbitrarily selected the 11th of each month for a consideration of the advertising in Paper X and Paper B. During the period under consideration the 11th of the month fell upon each day of the week once, except Friday. In considering Papers X and B the issues examined were:

Wednesday, May 11, 1927
Saturday, June 11, 1927
Monday, July 11, 1927
Thursday, Aug. 11, 1927
Monday, Sept.12, 1927 (6)
Tuesday, Oct. 11, 1927

Saturday being the biggest shopping day in Lancaster, the Friday evening papers carry more advertising in that issue than in any other. This is also true in respect to Philadelphia. Since, from an advertising standpoint, Friday

(6) In September, the 11th fell on Sunday and as there was no issue it was decided to take the issue on the following day, the 12th.

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Wednesday, May 11, 1927
Saturday, June 11, 1927
Monday, July 11, 1927
Thursday, Aug. 11, 1927
Sunday, Sept. 11, 1927 (8)
Tuesday, Oct. 11, 1927

Saturday being the biggest shopping day in Lancaster, the Friday evening papers carry more advertising in that issue than in any other. This is also true in respect to Philadelphia. Since, from an advertising standpoint, Friday

(8) In September, the 11th fell on Sunday and as there was no issue it was decided to take the issue on the following day, the 12th.

is an important day, one Friday issue for each month during the six month period was selected from Paper Y and from Paper A as follows: (7)

Friday, May 27, 1927
Friday, June 3, 1927
Friday, July 29, 1927
Friday, Aug. 19, 1927
Friday, Sept. 2, 1927
Friday, Oct. 7, 1927

In view of the fact that the advertisements in Lancaster are practically the same in each paper for each day, the above spread is representative of Lancaster advertising over a six month period without duplication. However, this is true to a lesser extent in respect to Philadelphia advertising.

Classification of Commodities.-- The next problem after selecting the period of investigation was to determine the classifications of merchandise which were to be used. The National Better Business Bureau has a forty-three-fold classification which is too cumbersome for this investigation so it was decided to condense their classification into the following twenty-five-fold classification:

(7) This selection accounts for the fact that the total advertising lineage of Y under consideration is greater than that of X, though normally the average is about the same for each paper. Paper B's advertising lineage is normally larger than that of Paper A.

Table 1.

Classification of Commodities

1. Automotive
   - Automobiles (new, used)
   - Accessories (parts, specialties)
   - Batteries
   - Supplies (gas, oil)
   - Tires

2. Building Construction and Engineering
   - Builders, architects, contractors
   - Coal
   - Machinery
   - Materials (steel, lumber, brick, etc., roofing, plumbing hardware)
   - Paints and Varnishes
   - Ready-cut houses

3. Clothing (men's and boys')
   - Haberdashery
   - Suits, coats, etc.
   - Tailoring

4. Clothing (women's and misses')
   - Lingerie, hosiery, corsets
   - Millinery
   - Suits, dresses, fabric coats

5. Clothing (children's and infants')
   - Dresses, rompers
   - Hats, bonnets
   - Stockings, accessories

6. Fabrics
   - Dress fabrics
   - Silk, wool, cotton, handkerchiefs
   - Tapestry and lace

7. Financial and Insurance
   - Brokers, banks, loan associations
   - Insurance companies

8. Foodstuffs
   - Canned goods
   - Candy
   - Beverages
   - Groceries

Table 1.

Classification of Commodities

9. Furnishings (home and office)
   Home - Appliances (electric)
   China and glassware
   Draperies
   Floor coverings
   Furniture
   Mattresses
   Utensils
   Office - Equipment
   Furniture
   Stationery

10. Furs
   Coats and wraps
   Trimmings, pieces, etc.

11. Instruction
   Courses, Religion
   Schools

12. Jewelry and Optical Goods
   Gems
   Glasses, etc.
   Silverware
   Watches

13. Leather Goods
   Trunks, bags
   Umbrellas

14. Medical and Proprietary
   Dentists, chiropractors
   Patent medicines

15. Musical
   Instruments
   Pianos
   Sheet music
   Victrolas

16. Radio and Electrical Goods (exclusive of home furnishings)

17. Real Estate

18. Novelties, Toys

19. Shoes (men's, women's, children's)

20. Sporting Goods and Cameras

21. Tobacco

22. Toilet Goods and Drug Sundries

Toilet soaps
Dentifrices
Perfumes, powders and cosmetics
Sick room supplies

23. Hotels, Recreation, Travel

24. Motion Pictures and Theatres

25. Miscellaneous and Unclassified

Preparation for the Investigation.-- Two copies of each issue of each newspaper for the dates mentioned above were secured, making it possible to cut out every display advertisement appearing in them. Before cutting out the advertisements the entire display lineage was determined for each paper as follows:

Table 2.a.

Total Lineage for Paper X

Date:1927	No. of Pages	No. of Cols.	Lines of Adv.	Lines of Classified	Lines of Display
W. 5/11	20	160	16,430	3,710	10,202
S. 6/11	18	144	11,086	4,298	6,572
M. 7/11	16	128	14,628	3,080	10,097
Th. 8/11	22	176	21,412	3,010	17,887
M. 9/11	18	144	13,917	3,064	10,503
Tu.10/11	20	160	18,911	6,078	12,468
Total					67,729

Total Lineage for Paper Y

Date:1927	No. of Pages	No. of Cols.	Lines of Adv.	Lines of Classified	Lines of Display
Fri.5/27	32	256	43,963	3,489	40,474
Fri.6/3	28	224	36,660	2,234	34,426
Fri.7/29	28	224	36,174	5,598	30,576
Fri.8/19	24	192	30,629	3,203	27,426
Fri.9/2	28	224	39,398	1,850	37,548
Fri.10/7	32	256	43,939	2,387	41,552
Total					212,002

Table 2.b.

Total Lineage for Paper A

Date:1927	No. of Pages	No. of Cols.	Lines of Adv.	Lines of Classified	Lines of Display
Fri. 5/27	20	160	22,730	3,315	19,415
Fri. 6/3	22	176	26,470	5,100	21,370
Fri. 7/9	16	128	11,053	7,478	3,575
Fri. 8/11	18	144	16,140	2,510	13,630
Fri. 9/2	18	144	20,880	5,540	15,340
Fri. 10/7	22	176	26,331	5,300	21,031
Total					94,345

Total Lineage for Paper B

Date:1927	No. of Pages	No. of Cols.	Lines of Adv.	Lines of Classified	Lines of Display
W. 5/11	44	352	65,867	14,567	51,300
S. 6/11	24	192	9,486	1,990	7,496
M. 7/11	30	240	34,905	6,729	28,176
Th. 8/11	30	240	37,941	5,156	32,785
M. 9/11	32	256	41,168	8,535	32,633
Tu.10/11	40	320	56,432	6,692	49,740
Total					202,180

The advertisements for each paper were then divided into the twenty-five classifications and the advertisements of each classification were pasted on sheets of heavy brown wrapping paper corresponding in size to the paper being cut up. These mounts were 21 inches deep and 17 inches wide and it took nearly three hundred of them to hold all the advertisements. The advertisements in each classification for Paper X were mounted separately from those of the corresponding classification for Paper Y. The same ~~was~~ procedure was followed in arranging the advertisements cut out of Papers A and B.

Table 5.b.

Total Lineage for Paper A

Date:1927	No. of Pages	No. of Cols.	Lines of Adv.	Lines of Classified	Lines of Display
Tot. 6\27	20	160	20,780	3,115	10,415
Tot. 8\3	22	176	20,470	5,103	21,370
Tot. 7\9	16	128	11,052	7,478	3,575
Tot. 8\11	18	144	16,110	2,810	15,830
Tot. 9\2	18	144	20,080	6,040	15,340
Tot. 10\7	22	176	25,331	6,200	21,021
Total					97,349

Total Lineage for Paper B

Date:1927	No. of Pages	No. of Cols.	Lines of Adv.	Lines of Classified	Lines of Display
T. 6\11	18	144	15,407	10,287	81,305
T. 8\11	24	192	5,486	1,990	7,405
T. 7\11	30	240	34,208	6,729	28,179
Th. 8\11	20	240	29,941	8,116	22,185
T. 9\11	32	256	41,168	8,895	32,635
Th.10\11	40	320	56,432	6,892	48,740
Total					220,149

The advertisements for each paper were then divided into the twenty-five classifications and the advertisements of each classification were pasted on sheets of heavy brown wrapping paper corresponding in size to the paper being cut up. These mounts were 21 inches deep and 17 inches wide and it took nearly three hundred of them to hold all the advertisements. The advertisements in each classification for Paper X were mounted separately from those of the corresponding classification for Paper Y. The same wage procedure was followed in arranging the advertisements cut out of Papers A and B.

The advertising for each class was then measured to determine the exact lineage devoted to that class of merchandise for each paper. Below are the results.

Table 3.

Total Daily Advertising Lineage for each Classification

Class	Paper X	Paper Y	Paper A	Paper B
1.	8,770	17,063	2,880	17,040
2.	2,764	857	300	2,895
3.	1,948	22,276	13,909	23,115
4.	6,793	39,349	13,134	32,206
5.	59	2,506	7,607	9,994
6.	1,697	3,035	10,143	13,323
7.	4,534	3,247	4,720	24,367
8.	10,679	5,509	11,010	7,114
9.	9,744	47,676	440	8,138
10.	none	3,718	2,536	3,331
11.	2,767	143	60	5,547
12.	309	9,968	585	1,470
13.	30	1,210	1,521	2,000
14.	2,994	3,668	1,390	2,760
15.	744	1,149	2,110	675
16.	2,427	4,152	90	8,449
17.	484	473	1,877	2,945
18.	none	744	2,536	3,330
19.	724	6,180	925	3,267
20.	92	1,012	1,014	1,332
21.	1,551	5,861	3,830	3,760
22.	4,940	5,694	195	2,815
23.	2,226	3,889	6,220	11,604
24.	2,228	2,356	3,445	7,778
25.	3,220	2,987	1,868	2,925
Total	71,724	194,722	94,345	202,180

There is naturally a slight discrepancy between the total display lineage as reported by the papers in Tables 2a and 2b and the total lineage of the various classes in Table 3. The reason for that difference is three-fold. First, and particularly in the case of department stores, in cutting up the various items for

classification, much white space which was used chiefly as an attention factor, was unaccounted for. Secondly, in the case of certain department store advertisements whose headlines were of such a general character it was decided either to disregard that part of the copy or else charge it up to that department carrying the most space. Third, institutional and good will copy was disregarded since it was not possible to charge it up to any one particular department or class of merchandise.

Since the department stores contributed the largest amount of advertising and since it is merchandise rather than a firm name or service being emphasized, the author felt it wise to either block out or cut out the firm name and key the copy. It will be readily seen that this plan would not be feasible in handling some national advertisements such as cigarettes and tobacco, for example, in view of the fact that the name is frequently the major part of the advertisement. Furthermore, to obviate local bias or prejudice either for or against department store advertising where it is more apparant than in dealing with national advertising, this keying plan was instituted.

Who Should Act as Judges.--At this point the question arose as to who should make the judgments, how were they to be made and how measured? In order to get as many viewpoints as possible, the following groups of judges were found to be necessary and desirable:

I. Consumer judges
II. Theorists and agency representatives
III. The Lancaster Better Business Bureau
IV. Practical men in the field of their specialty -- merchandise specialists

The consumer judgments were made by four women and four men of varying ages and representing typical local buyers. To preserve their identity and to facilitate exposition they will be designated by capital letters from A to H, inclusive. Their age classification and position in the community is as follows:

Table 4.

Women

A - Under 20 years of age - high school student
C - 20 to 30 " " " - college student
E - 30 to 40 " " " - housekeeper, married
G - 40 to 50 " " " - housekeeper, widowed

Men

B - Under 20 years of age - college freshman
D - 20 to 30 " " " - college instructor, history
F - 30 to 40 " " " - highway construction worker
H - 40 to 50 " " " - Assistant Professor of Math.

A, C, E, and G were the women judges and B, D, F, and H the men judges representing consumer viewpoints (8)

The theorists and agency representative are designated by the capital letters I, J, and L. I and J are professors of business administration and romance languages respectively, while L represents an advertising agency copy writer's point of view.

(8) The individual view points expressed in terms of per cent objectionable, per cent borderline and per cent satisfactory will be found in the appendix.

The Lancaster Better Business Bureau is designated by the letter K.

Merchandise experts or practical men well-versed in their particular field contributed to the composition opinion referred to as M.

Judging Advertisements.-- To judge art, literature, music or advertising copy satisfactorily it is necessary to establish first some standard or basis for comparison. The author classifies copy as Objectionable, Borderline or Satisfactory. For the purpose of this investigation each judge was asked to regard as objectionable all copy, the wording or the sense of which was obviously contrary to known facts; copy expressing untruths, decided inaccuracies, and statements and conditions incapable of fulfillment.

Borderline advertising was to be regarded as copy which the judge believed to be untruthful, but the truth of which would involve controversy; that in which there was a reasonable doubt as to its accuracy. Of course, the remainder would naturally be satisfactory.

The author then submitted each mount individually to the judges for their consideration, When an entire advertisement, paragraph, line or phrase was questioned the exact amount of space it occupied was measured and the lineage entered in either the Objectionable or Borderline column opposite the merchandise classification column on the Judge's sheet. After each of the more than two hundred

mounts containing a total of 562,991 agate lines of copy were submitted to each judge the various pieces of copy questioned were measured and totaled for each merchandise classification and the amounts entered on the Judge's Summary Sheet, a copy of which is shown below. It is only charitable to inform others who may undertake a similar survey that the amount of patience and time involved in waiting for each judge to read the copy presented, one mount-sheet at a time, is considerable. In the case of this investigation an average of ten hours spent with each judge (A to L, inclusive) is a conservative estimate. In most cases more than one interview with a judge was required in order not to hurry the judging. Each judgment was made by the individual without reference to any other judge or comment or opinion of the author as to the merits of a particular piece of copy. To avoid any leniency or stringency in the matter of first and last judgments, the judges were started on different classes of merchandise.

Table 5.

Copy of one of Judge's Summary Sheet

Paper Y — Judge E

1. Class	2. Lines Obj.	3. Lines Bord.	4. Lines Satis.	5. Total Lineage	6. Percentages Obj.	7. Bord.	8. Satis.
1.		290	16,773	17,063		1.699	98.299
2.			857	857			100.
3.	190	1,880	20,206	22,276	.852	9.247	90.707
4.	670	1,305	37,374	39,349	1.753	3.316	94.979
5.			2,506	2,506			100.
6.		25	3,015	3,035		.823	99.341
7.		230	3,017	3,247		7.083	92.922
8.			5,509	5,509			100.
9.	5,336	4,910	37,430	47,676	11.192	10.298	78.488
10.	10	340	3,368	3,718	.242	9.144	90.586
11.			143	143			100.
12.	4,855	55	5,058	9,968	48.464	.551	50.742
13.			1,210	1,210			100.
14.	2,387		1,281	3,668	65.076		34.950
15.			1,149	1,149			100.
16.	90		4,062	4,152	2.167		97.832
17.			473	473			100.
18.			744	744			100.
19.	95	200	5,885	6,180	1.375	3.236	95.210
20.	6.	15	990	1,012	.592	1.482	97.826
21.			5,861	5,861			100.
22.	20	60	5,614	5,694	.351	1.053	98.595
23.		15	3,874	3,889		.358	99.601
24.			2,356	2,356			100.
25.		3	2,984	2,987		.1	99.890
Total	13,659	9,328	171,735	194,722	6.921	4.80	88.195

Table 3.

Copy of one of Judge's Summary Sheet

Judge X

Paper Y

Referring to Table 5 it will be seen that the sum of the figures in columns 2 and 3 subtracted from the figure in column 5 gives the amount satisfactory for column 4. Since a knowledge of pure lineage objectionable or borderline is meaningless in determining the accuracy of advertising, it was necessary to find the percentage objectionable, borderline and satisfactory. These amounts were entered in columns 6,7, and 8 respectively for each class of merchandise. Columns 2, 3, 4, and 5 were totaled and the total per cent objectionable, borderline and satisfactory for each judge was determined. This method was used in figuring the results for each judge. Here again, it is benevolent to warn future investigators of the hours it will take to figure out the perdentages in each individual case and for each individual class of merchandise. It is a particularly lengthy process when carried out to the third decimal place as was done in this study for the sake of absolute accuracy. It should be noted however, that in preparing the Judge's Percentage Sheets shown in the appendix, the hundredths and thousandths of a per cent were rounded up to the tenths place for the sake of convenience in handling fractional percentages.

Chapter II.

The Judges' Results

Objectionable Percentage.-- In summarizing the consumer judgments for each paper and then averaging them we find the percentage reported objectionable by each judge:

Table 6.a.

Women	Paper X		Women	Paper Y	
A	reported as obj.	5.1%	A	reported as obj.	1.1%
C	" " "	2.4%	C	" " "	2.2%
E	" " "	5.2%	E	" " "	6.9%
G	" " "	.0%	G	" " "	.0%
	Average "	3.2%		Average "	2.6%

The average of the women, A, C, E, and G for both Paper X and Paper Y was 2.9% objectionable.

Table 6.b.

Women	Paper A		Women	Paper B	
A	reported as obj.	4.3%	A	reported as obj.	3.9%
C	" " "	3.6%	C	" " "	2.6%
E	" " "	3.7%	E	" " "	6.2%
G	" " "	.8%	G	" " "	.8%
	Average "	3.1%		Average "	3.4%

The average of the women, A, C, E, and G for both Paper A and Paper B was 3.2% objectionable.

Table 7.a.

Men	Paper X		Men	Paper Y	
B	reported as obj.	3.4%	B	reported as obj.	2.8%
D	" " "	1.6%	D	" " "	4.8%
F	" " "	5.6%	F	" " "	3.3%
H	" " "	5.0%	H	" " "	2.8%
	Average "	3.9%		Average "	3.4%

The average of the men, B, D, F, and H for both Paper X and Paper Y was 3.7% objectionable.

The average of all men and women for both Papers X and Y was 3.2% objectionable.

Table 7.b.

Men	Paper A		Men	Paper B	
B	reported as obj.	4.3%	B	reported as obj.	4.4%
D	" " "	4.0%	D	" " "	4.9%
F	" " "	4.7%	F	" " "	5.4%
H	" " "	7.9%	H	" " "	9.9%
	Average "	5.2%		Average "	6.2%

The average of the men, B, D, F, and H for both Paper A and Paper B was 5.7% objectionable.

The average of all men and women for both Papers A and B was 4.5% objectionable.

Border line Percentage.-- The summary of the consumer judgments in respect to border line copy is as follows:

Table 8.a.

Women	Paper X		Women	Paper Y	
A	reported as bord.	.6%	A	reported as bord.	2.6%
C	" " "	3.4%	C	" " "	1.2%
E	" " "	.9%	E	" " "	4.8%
G	" " "	9.5%	G	" " "	8.6%
	Average "	3.6%		Average "	4.3%

The average of the women, A, C, E, and G for both Paper X and Paper Y was 3.9% border line.

Table 8.b.

Women	Paper A		Women	Paper B	
A	reported as bord.	1.2%	A	reported as bord.	1.7%
C	" " "	1.9%	C	" " "	2.3%
E	" " "	1.8%	E	" " "	2.2%
G	" " "	8.4%	G	" " "	10.6%
	Average "	3.3%		Average "	4.2%

The average of the women, A, C, E, and G for both Paper A and Paper B was 3.8% border line.

Table 9.a.

Men	Paper X		Men	Paper Y	
B	reported as bord.	3.4%	B	reported as bord.	2.2%
D	" " "	5.0%	D	" " "	4.4%
F	" " "	1.9%	F	" " "	2.6%
H	" " "	7.2%	H	" " "	10.2%
	Average "	4.4%		Average "	4.9%

The average of the men, B, D, F, and H for both Paper X and Paper Y was 4.7% border line.

The average of all men and women for both papers was 4.3% border line.

Table 9.b.

Men	Paper A		Men	Paper B	
B	reported as bord.	4.6%	B	reported as bord.	4.6%
D	" " "	3.2%	D	" " "	3.0%
F	" " "	3.5%	F	" " "	4.0%
H	" " "	4.0%	H	" " "	6.1%
	Average "	3.9%		Average "	4.4%

The average of the men, B, D, F, and H for both Paper A and Paper B was 4.1% border line.

The average of all men and women for both papers A and B was 3.9% border line.

Satisfactory Percentage.-- The amount of copy reported to be satisfactory by the consumer judges is summarized as follows:

Table 10.a.

Women	Paper X		Women	Paper Y	
A	reported as satis.	94.3%	A	reported as satis.	96.3%
C	" " "	94.2%	C	" " "	96.6%
E	" " "	93.9%	E	" " "	88.3%
G	" " "	90.5%	G	" " "	91.4%
	Average "	93.2%		Average "	93.2%

Table 10.b.

Men	Paper X		Men	Paper Y	
B	reported as satis.	93.2%	B	reported as satis.	95.0%
D	" " "	93.4%	D	" " "	90.8%
F	" " "	92.5%	F	" " "	94.1%
H	" " "	87.8%	H	" " "	87.0%
	Average "	91.7%		Average "	91.7%

It is interesting to note that the average of the women shows they found the same percentage satisfactory in the case of Paper X as in the case of Paper Y. The average amount satisfactory was 93.2 per cent. Though the average satisfactory of the men is less than of the women, there is in this instance another coincidence for the men found 91.7 per cent to be the amount satisfactory for both Paper X and Paper Y.

The average of all men and all women for both papers was 92.5 per cent satisfactory.

Table 10.c.

Women	Paper A		Women	Paper B	
A	reported as satis.	94.5%	A	reported as satis.	94.4%
C	" " "	94.5%	C	" " "	95.1%
E	" " "	94.5%	E	" " "	91.6%
G	" " "	90.8%	G	" " "	88.6%
	Average "	93.6%		Average "	92.8%

The average of the women, A, C, E, and G for both Papers A and B was 93.2 per cent satisfactory.

Table 10.d.

Men	Paper A		Men	Paper B	
B	reported as satis.	91.1%	B	reported as satis.	91.0%
D	" " "	92.8%	D	" " "	92.1%
F	" " "	91.8%	F	" " "	90.6%
H	" " "	88.1%	H	" " "	84.0%
	Average "	90.9%		Averave "	89.4%

The average of the men, B, D, F, and H for both Papers A and B was 90.1 per cent satisfactory.

The average of all men and all women for both Papers A and B was 91.6 per cent satisfactory.

Theorists' Judgment.-- The summary and average of the theorist or professional judgments for each paper and for each type of copy from an accuracy stand point is shown in the following tables:

Table 11.a.

Theorists	Paper X		Theorists	Paper Y	
I	reported as obj.	1.5%	I	reported as obj.	2.9%
J	" " "	.6%	J	" " "	1.1%
L	" " "	2.8%	L	" " "	4.3%
	Average "	1.6%		Average "	2.4%

The average of the theorists, I, J, and L for both Paper X and Paper Y was 2.2 per cent objectionable.

Table 11.b.

Theorists	Paper A		Theorists	Paper B	
I	reported as obj.	2.2%	I	reported as obj.	3.5%
J	" " "	1.0%	J	" " "	2.3%
L	" " "	3.4%	L	" " "	4.5%
	Average "	2.2%		Average "	3.4%

The average of the theorists, I, J, and L for both Papers A and B was 2.8 per cent objectionable.

Table 12.a.

Theorists	Paper X		Theorists	Paper Y	
I reported as bord.		1.4%	I reported as bord.		2.0%
J " " "		1.3%	J " " "		1.3%
L " " "		4.9%	L " " "		5.6%
Average	"	2.5%	Average	"	2.6%

The average of the theorists, I, J, and L for both Paper X and Paper Y was 2.8 per cent border line.

Table 12.b.

Theorists	Paper A		Theorists	Paper B	
I reported as bord.		2.8%	I reported as bord.		3.9%
J " " "		1.3%	J " " "		2.4%
L " " "		7.8%	L " " "		9.0%
Average	"	3.9%	Average	"	5.1%

The average of the theorists, I, J, and L for both Papers A and B was 4.5 per cent border line.

Table 13.a.

Theorists	Paper X		Theorists	Paper Y	
I reported as satis.		97.1%	I reported as satis.		95.1%
J " " "		98.1%	J " " "		97.6%
L " " "		92.3%	L " " "		90.1%
Average	"	95.8%	Average	"	94.2%

The average of the theorists, I, J, and L for both Paper X and Paper Y was 95.0 per cent satisfactory.

Table 13.b.

Theorists	Paper A		Theorists	Paper B	
I reported as satis.		95.0%	I reported as satis.		92.6%
J " " "		97.7%	J " " "		95.3%
L " " "		88.8%	L " " "		86.5%
Average	"	93.8%	Average	"	91.5%

The average of the theorists, I, J, and L for both Papers A and B was 92.7 per cent satisfactory.

Better Business Bureau Judgment.-- In summarizing the judgment of the Lancaster Better Business Bureau and

then averaging it for both papers we find the following conditions to be true in respect to advertising copy:

Table 14.a.

Paper X		Paper Y	
K reported as obj.	2.1%	K reported as obj.	.4%
Average objectionable for both papers			1.3%
K reported as bord.	4.3%	K reported as bord.	12.5%
Average border line for both papers			8.4%
K reported as satis.	93.6%	K reported as satis.	87.1%
Average satisfactory for both papers			90.3%

Table 14.b.

Paper A		Paper B	
K reported as obj.	4.4%	K reported as obj.	4.9%
Average objectionable for both papers			4.7%
K reported as bord.	6.4%	K reported as bord.	8.1%
Average border line for both papers			7.3%
K reported as satis.	89.2%	K reported as satis.	87.0%
Average satisfactory for both papers			88.0%

Merchandise Specialists' Judgment.-- In summarizing the combined judgment of the twenty-five merchandise specialists and then getting the average of both papers we find the following to be true:

Table 15.a.

Paper X		Paper Y	
M reported as obj.	5.1%	M reported as obj.	5.7%
Average objectionable for both papers			5.4%
M reported as bord.	5.8%	M reported as bord.	11.4%
Average border line for both papers			8.6%
M reported as satis.	89.1%	M reported as satis.	82.9%
Average satisfactory for both papers			86.0%

Table 15.b.

Paper A		Paper B	
M reported as obj.	6.0%	M reported as obj.	7.7%
Average objectionable for both papers			6.9%
M reported as bord.	4.1%	M reported as bord.	5.8%
Average border line for both papers			4.9%
M reported satis.	89.9%	M reported as satis.	86.5%
Average satisfactory for both papers			88.2%

General Summary of Averages.-- Summarizing the averages for the three classifications of copy in Papers X and Y and of the four groups of judges we get the results shown in Table 16.a. which is a summary of the data given in Table 16.b.

Table 16.a.

Summary of Averages of Papers X and Y

Group	Objectionable	Border line	Satisfactory
I. (Consumers)	3.2%	4.3%	92.5%
II. (Theorists, etc.)	2.2%	2.8%	95.0%
III. (BetterBus. Bu.)	1.3%	8.4%	90.3%
IV. (Mdse. Experts)	5.4%	8.6%	86.0%
Average of groups	3.0%	6.0%	91.0%

Computing the average of all judges for all advertising in Papers X and Y we learn that they find 3.0 per cent of the copy objectionable, 6.0 per cent border line, and 91.0 per cent satisfactory. Reference to the above table shows that group IV, the merchandise specialists, were the most critical while group II, the theorists and agency representative were the least critical.

It is only natural that group IV would be more critical than any other group, for it must be remembered that they consitute a group of experienced business men and women highly skilled in their respective lines and quick to perceive false and inaccurate claims. It is a credit to their sense of fairness that they should exercise such critical judgment in passing on advertising involving their interests.

It is interesting to note that the male consumers as a group were more critical than the female consumers as a group for they found 1.5 per cent more copy unsatisfactory than did the latter. In studying the results of this group it is also interesting to note that the younger the judges the less critical and the older and more experienced the judges the more critical, both in the case of the women and of the men. The most critical woman, was G, age between 40 and 50, and the most critical man was H, of the same age group. We might draw the conclusion that age and experience makes one more wary of super-advertising.

From the author's observation, the Lancaster Better Business Bureau (K) and the advertising copy writer (L) made the most thorough and conscientious investigation and in view of their qualifications contributed the most valuable and reliable opinions as to the relative accuracy of local advertising.

Table 16.b. gives a detailed report on the amount of copy in each classification found to be objectionable, border line and satisfactory for Paper X and Paper Y. It should be remembered that these figures represent the general average of all judges. These figures were compiled from the Judge's Percentage Sheets in the appendix.

Table 16. b.

General Average of all Judges for Papers X and Y.

JUDGE'S PER CENTAGE SHEET

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	1.9	3.1	95.0	1.	.3	2.1	97.6
2.	.4	.4	99.2	2.	.2	.9	98.9
3.	.7	2.0	97.3	3.	1.5	3.5	95.0
4.	.4	1.7	97.9	4.	1.1	2.7	96.2
5.	0.0	1.4	98.6	5.	0.0	1.2	98.8
6.	0.0	.2	99.8	6.	0.0	1.1	98.9
7.	.6	2.1	97.3	7.	2.2	4.1	93.7
8.	.7	.5	98.8	8.	.7	1.6	97.7
9.	.3	1.0	98.7	9.	1.5	3.2	95.3
10.	0.0	0.0	100.0	10.	0.0	2.2	97.8
11.	0.0	1.3	98.7	11.	0.0	.8	99.2
12.	1.5	7.8	90.7	12.	4.0	2.6	93.4
13.	0.0	3.5	96.5	13.	.1	.8	99.1
14.	24.7	16.6	58.7	14.	15.4	20.6	64.0
15.	0.0	0.0	100.0	15.	.4	4.6	95.0
16.	1.6	.2	98.2	16.	.2	1.4	98.4
17.	.1	.5	99.4	17.	0.0	.5	95.5
18.	0.0	0.0	100.0	18.	0.0	.8	99.2
19.	.1	2.7	98.2	19.	2.1	3.3	94.6
20.	0.0	0.0	100.0	20.	.7	1.1	98.2
21.	1.3	1.9	96.8	21.	3.0	7.2	89.8
22.	.9	1.3	97.8	22.	.7	1.8	97.5
23.	.1	.2	99.7	23.	.1	.7	99.2
24.	.1	0.0	99.9	24.	0.0	.4	99.6
25.	.5	1.4	98.1	25.	.2	.9	98.9
Total	3.1	3.8	93.1	Total	2.9	5.3	91.8

Table 17.a. is a summary of the data given in Table 17.b. and it shows the group averages for Paper A and Paper B.

Table 17.a.

Summary of Averages of Papers A and B

Group	Objectionable	Border line	Satisfactory
I. (Consumers)	4.5%	3.9%	91.6%
II. (Theorists, etc.)	2.8%	4.5%	92.7%
III. (Better Bus. Bu.)	4.7%	7.3%	88.0%
IV. (Mdse. Experts.)	6.9%	4.9%	88.2%
Average of groups	4.7%	5.2%	90.1%

Computing the average of all judges for all advertising in Papers A and B we learn that they find 4.7 per cent of the copy objectionable, 5.2 per cent border line, and 90.1 per cent satisfactory. Reference to the above table shows that group II, the theorists and agency representative, was the least critical, while group III, the Better Business Bureau was the most critical. The latter was followed closely by group IV, merchandise experts.

Again it is interesting to note that the male consumers as a group were more critical than the female consumers as a group for the former found a larger percentage of copy objectionable and of border line nature than did the latter group. It will be observed that this situation was also true in respect to the judging of the advertisements appearing in Papers X and Y.

In practically every instance the individual judges reported a larger percentage of advertising copy objectionable and of border line nature in the case of Paper B (morning) than they did in respect to Paper A (evening). This condition might lead one to the conclusion that the readers of Paper B are less critical than the readers of Paper A, either because as a class their standards are not as high or because they are morning newspaper readers they have less time to carefully scrutinize the sheet and to evalute the advertising content. Whatever cause it may be, in the last analysis, the responsibility rests with the publishers who see fit to lower their standards in respect to advertising copy.

The most critical consumer, judge H, is a male between 40 and 50 years of age. The next most critical consumer judge is G, a female within the same age limits.

Table 17.b. gives a detailed report on the amount of copy in each classification found to be objectionable, border line and sarisfactory for Paper A and Paper B. These figures were compiled from the Judge's Percentage Sheets in the appendix and it should be remembered that as shown in Table 17.b. they merely represent the general average of all judges.

Table 17. b.

General Average of all Judges for Papers A and B.

JUDGE'S PER CENTAGE SHEET

A Paper

Class.	Obj.	Bord.	Satis.
1.	2.5	2.4	95.1
2.	.5	.8	98.7
3.	1.9	1.8	96.3
4.	.9	1.9	97.2
5.	0.0	1.9	98.1
6.	0.0	.5	99.5
7.	1.1	1.7	97.2
8.	.3	1.7	98.0
9.	1.1	1.2	97.7
10.	2.2	1.8	96.0
11.	0.0	1.7	98.3
12.	7.4	4.2	88.4
13.	0.0	.5	99.5
14.	26.6	13.7	59.7
15.	0.0	.9	99.1
16.	.5	1.5	98.0
17.	0.0	.9	99.1
18.	0.0	1.0	99.0
19.	0.0	3.4	96.6
20.	0.0	.5	99.5
21.	2.8	2.9	94.3
22.	2.2	2.1	95.7
23.	0.0	.7	99.3
24.	.1	.7	99.2
25.	.1	.6	99.3
Total	3.9	3.9	92.2

B Paper

Class.	Obj.	Board.	Satis.
1.	2.4	2.1	95.5
2.	.4	1.0	98.6
3.	2.9	2.8	94.3
4.	1.4	2.7	95.9
5.	0.0	1.9	98.1
6.	0.0	.7	99.3
7.	1.3	1.2	97.5
8.	.4	1.6	98.0
9.	2.2	2.6	95.2
10.	2.7	1.8	95.5
11.	0.0	1.6	98.4
12.	9.3	5.5	85.2
13.	0.0	1.1	98.9
14.	26.9	13.3	59.8
15.	.3	.8	98.9
16.	.9	2.1	97.0
17.	.1	.9	99.0
18.	0.0	1.2	98.8
19.	1.4	4.2	94.4
20.	.4	1.6	98.0
21.	5.3	5.3	89.4
22.	2.6	1.5	95.9
23.	0.0	1.1	98.9
24.	.1	.8	99.1
25.	0.0	.9	99.1
Total	4.6	4.9	90.5

Table 18. which is a combination of Table 16.a. and Table 17.a. gives the average opinions of the four groups of judges in respect to the copy in Papers X and Y compared with Papers A and B.

Attention is called at this time to the comparative averages at the bottom of the table. They will be commented on later on in this chapter in reference to the Recapitulation Tables where their source is shown in detail.

Table 18.

Comparison of the Average Judgments of Advertising Copy in Papers X and Y with Papers A and B

Group	Objectionable		Border line		Satisfactory	
	X & Y	A & B	X & Y	A & B	X & Y	A & B
I.	3.3%	4.5%	4.3%	3.9%	92.4%	91.6%
II.	2.0%	2.8%	2.6%	4.5%	95.4%	92.7%
III.	1.3%	4.7%	8.4%	7.3%	90.3%	88.0%
IV.	5.4%	6.9%	8.6%	4.9%	86.0%	88.2%
Average of all Groups of Judges	3.0%	4.7%	6.0%	5.2%	91.0%	90.1%

Commodity Results.-- From an individual stand point, commodity classification #14 which includes patent medicines received the greatest condemnation. Practically every judge found little copy of that classification satisfactory as will be seen by reference to the Judge's Percentage Sheets in the appendix. Reference to Tables 16.b. and 17.b. in this section showing the general average of all judges for each classification in respect to each of the four papers under consideration shows that there is very

little difference in the amount of unsatisfactory copy of this classification carried. However, Paper X with only 58.7 per cent satisfactory copy makes the poorest showing. In each instance it shows an alarmingly large amount of unsatisfactory copy of this nature being carried. There was difference of opinion as to whether it was out and out objectionable or only border line, but the concensus of opinion seems to lean heavily toward the former discription.

Jewelry, classification #12, followed closely as a commodity given to unsatisfactory advertising. This is particulary true of the Philadelphia newspapers for Paper A carried 88.4 per cent satisfactory copy and Paper B 85.2 per cent satisfactory copy. The amount of unsatisfactory copy of this classification is altogether too high. In this connection it is interesting to note that the judges found the larger amount of Philadelphia copy of this classification to be outright objectionable while there was a difference of opinion as to whether the Lancaster copy was objectionable or only border line.

Tobacco advertisements, #21, and especially cigarette testimonials came in for their share of criticism as was to be expected. This classification made the third poorest showing as evinced by the following figures which indicate the general average satisfactory for the four papers; X, 96.8 per cent; Y, 89.8 per cent; A, 94.3 per

cent and B, 89.4 per cent.

The lineage satisfactory in the automotive classification, #1, does not reflect very creditably upon this industry which is apparently given to exaggeration. The general averages are: X, 95.0 per cent; Y, 97.6 per cent; A, 95.1 per cent and B, 95.5 per cent. Lancaster appears to have the edge on Philadelphia in respect to the amount of this copy satisfactory.

Men's clothing, #3, stood high on the list of those commodities given to inaccurate advertising. Although the total lineage of women's clothing, #4, was much more than that for men's clothing, never-the-less, that of the former which was found to be objectionable or border line was much less than for the latter. This may be due to the fact that women are much more critical buyers than men and better able to distinguish between fact and fancy in respect to advertising claims. Certainly it is a well known fact that 85 to 90 per cent of all retail sales are made to women. It seems then, that the writers of advertising copy directed to women are aware of their discernment while writers of advertising appealing to men are given to greater and bigger super-advertising assertions. Women's clothing copy as a whole in each of the four papers is more truthful than the men's clothing copy. Both men's and women's clothing copy appearing in the Lancaster papers is slightly more truthful than the same type of copy appearin the Philadelphia papers.

Furniture, #9, and Fur, #10, advertisements, two ancient and dishonorable members of the ananias advertising association ran true to form and received an unfriendly amount of comment. In both instances, however, the copy in the Lancaster papers was more truthful than that in the Philadelphia papers.

Advertising of financial commodities, #7, came in for considerable criticism. Philadelphia copy excelled that of Lancaster, however. This is due to the advertising claims of the loan sharks in this city that brought about an almost unnamimous expression of disbelief from both men women judges and consequently lowered the satisfactory percentage for the entire classification.

The claims of those advertising toilet goods and drug sundries, #22, were subject to criticism by both men and women judges. Lancaster copy is about 2 per cent more satisfactory than Philadelphia copy of this discription, while both show the need of improvement.

Radio advertising, #16, while warranting improvement is somewhat more believable in Lancaster than it is in Philadelphia. Leather goods, #13, is also given to unwarranted claims according to the majority of judges.

In fact, there wasn't a class of commodities whose advertising appeal could not be cleaned up a bit in the estimation of one or more of the judges. Those classifications mentioned above were the worst offenders by far, as will be seen on inspection of the individual Judge's Percentage

Sheets in the appendix and tables 16.b. and 17.b. in this chapter which give the general average.

Table 18, Recapitulation Judgments of Papers X and Y (Lancaster) gives a detailed account of the individual judge's opinion as well as the average group opinion of the copy objectionable, border line and satisfactory in Paper X and Paper Y, and finally the average amount objectionable, border line and satisfactory for both Papers X and Y.

Table 19, Recapitulation Judgments of Papers A and B (Philadelphia) gives the same detailed account of the judge's opinions in respect to these two newspapers.

Table 18.

Recapitulation Judgments of Lancaster Papers, X and Y.

Table 18.

Recapitulation Judgments of Lancaster Papers,

X and Y.

Judges	Paper X Obj.	Paper Y Obj.	Paper X Bord.	Paper Y Bord.	Paper X Satisfactory	Paper Y Satisfactory
A	5.1%	1.1%	.6%	2.6%	94.3%	96.3%
C	2.4	2.2	3.4	1.2	94.2	96.6
E	5.2	6.9	.9	4.8	93.9	88.3
G	0.0	0.0	9.5	8.6	90.5	91.4
B	3.4%	2.8%	3.4%	2.2%	93.2%	95.0%
D	1.6	4.8	5.0	4.4	93.4	90.8
F	5.6	3.3	1.9	2.6	92.5	94.1
H	5.0	2.8	7.2	10.2	87.8	87.0
Average objectionable for Papers X and Y of Judges in Group I 3.2%			Average border line for Papers X and Y of Judges in Group I 4.3%		Average satisfactory for Papers X and Y of Judges in Group I 92.5%	
I	1.5%	2.9%	1.4%	2.0%	97.1%	95.1%
J	.5	1.1	1.3	1.3	98.1	97.6
L	2.8	4.3	4.9	5.6	92.3	90.1
Average objectionable for Papers X and Y of Judges in Group II 2.2%			Average border line for Papers X and Y of Judges in Group II 2.8%		Average satisfactoryfor Papers X and Y of Judges in Group II 95.0%	
K	2.1%	.4%	4.3%	12.5%	93.6%	87.1%
Average objectionable for Papers X and Y of Judges in Group III 1.3%			Average border line for Papers X and Y of Judges in Group III 8.4%		Average satisfactory for Papers X and Y of Judges in Group III 90.3%	
M	5.1%	5.7%	5.8%	11.4%	89.1%	82.9%
Average objectionable for Papers X and Y of Judges in Group IV 5.4%			Average border line for Papers X and Y of Judges in Group IV 8.6%		Average satisfactory for Papers X and Y of Judges in Group IV 86.0%	

Average of individual Judges, A to M: 3.1% 2.9% 3.8% 5.3% — 3.0% 4.6% — Average Total Unsatisfactory 7.6%

Average by Groups: 3.0% 6.0% — Average Total Unsatisfactory 9.0%

93.1% 91.8% — Average Total 92.4% Satisfactory

Average Total 91.0% Satisfactory

Table 19.

Recapitulation Judgments of

Philadelphia Papers, A and B.

Table 19.

Recapitulation Judgments of Philadelphia Papers, A and B.

Judges	Paper A Obj.	Paper B Obj.	Paper A Bord.	Paper B Bord.	Paper A Satisfactory	Paper B Satisfactory
A	4.3%	3.9%	1.2%	1.7%	94.5%	94.4%
C	3.6	2.6	1.9	2.3	94.5	95.1
E	3.7	6.2	1.8	2.2	94.5	91.6
G	.8	.8	8.4	10.6	90.8	88.6
B	4.3%	4.4%	4.6%	4.6%	91.1%	91.0%
D	4.0	4.9	3.2	3.0	92.8	92.1
F	4.7	5.4	3.5	4.0	91.8	90.6
H	7.9	9.9	4.0	6.1	88.1	84.0
Average objectionable for Papers A and B of Judges in Group I	4.5%		Average border line for Papers A and B of Judges in Group I	3.9%	Average satisfactory for Papers A and B of Judges in Group I	91.6%
I	2.2%	3.5%	2.8%	3.9%	95.0%	92.6%
J	1.0	2.3	1.3	2.4	97.7	95.3
L	3.4	4.5	7.8	9.0	88.8	86.5
Average objectionable for Papers A and B of Judges in Group II	2.8%		Average border line for Papers A and B of Judges in Group II	4.5%	Average satisfactory for Papers A and B of Judges in Group II	92.7%
K	4.4%	4.9%	6.4%	8.1%	89.2%	87.0%
Average objectionable for Papers A and B of Judges in Group III	4.7%		Average border line for Papers A and B of Judges in Group III	7.3%	Average satisfactory for Papers A and B of Judges in Group III	88.0%
M	6.0%	7.7%	4.1%	5.8%	89.9%	86.5%
Average objectionable for Papers A and B of Judges in Group IV	6.9%		Average border line for Papers A and B of Judges in Group IV	4.9%	Average satisfactory for Papers A and B of Judges in Group IV	88.2%

Average of individual Judges, A to M: 3.9% 4.6% 3.9% 4.9% 4.3% 4.4%
Average Total Unsatisfactory 8.7%

Average by Groups: 4.7% 5.2%
Average Total Unsatisfactory 9.9%

92.2% 90.5%
Average Total 91.3% Satisfactory

Average Total 90.1% Satisfactory

Recapitulatory Results.-- Reference to the Recapitulation Tables 18 and 19 show that the judges in group I find that Philadelphia advertising is 91.6 per cent satisfactory while Lancaster advertising is 92.5 per cent satisfactory. Judges in group II find Philadelphia advertising 92.7 per cent satisfactory while Lancaster advertising is 95.0 per cent satisfactory. Group III judges say that 88.0 per cent of Philadelphia advertising is satisfactory while Lancaster advertising is 90.3 per cent satisfactory. Judges in group IV however, find 88.2 per cent of Philadelphia advertising satisfactory and only 86.0 per cent of Lancaster advertising satisfactory. In all but the last group of judges, the concensus of opinion is that Lancaster advertising tends to be slightly more satisfactory from a veracity point of view than does Philadelphia advertising.

The combined opinion of all four groups of judges show that Philadelphia advertising copy is only 90.1 per cent satisfactory compared to Lancaster advertising which is 91.0 per cent satisfactory. This difference of only .9 per cent in the favor of Lancaster is insignificant. Of more importance is the fact that only 3.0 per cent of Lancaster advertising is of an objectionable nature while almost 5.0 per cent of Philadelphia advertising is considered to be of this nature in the combined opinions of the judges. Lancaster newspapers run a somewhat larger percentage of border line copy than do Philadelphia papers,

however, as respectively shown by the combined averages of the judges, 6.0 per cent and 5.2 per cent.

It is the belief of the author that the most significant fact derived from this study points to the surprisingly large percentage (almost 10 per cent) of unsatisfactory advertising copy appearing in each of these two cities -- the former, a representative small-sized city in Pennsylvania and the latter a large-sized city representative of the United States. It is time the citizens of these communities took cognizance of conditions and inaugurated definite plans for reform. Just what constitutes unsatisfactory advertising and just how it may be corrected is developed in the following chapters of this thesis.

PART II.

CHAPTER III. Classification and Enumermation of Objectionable Types of Advertising

Chapter III.

Classification and Enumeration of Objectionable Types of Advertising

Most writers on the subject of business ethics agree that sincerity and good business are inseparable. To be successful over a long period, sincerity which invites belief is surely a major factor in advertising. It is generally agreed that sincerity which reflects integrity, and which in turn justifies confidence, whether one is trying to borrow money or trying to sell goods, is at the bottom of all successful business. That being the case, we may wonder how many will condone the following examples of advertising recently cited in a meeting held by the Chicago Association of Commerce:

"A new model grand prize vacuum cleaner removes more dirt by weight than any other 'tested', regardless of type, price or any other factor. (One wonders why they didn't test a few more.) A favorite low price four-cylinder car promises performance that if realized would make every other form of transportation superfluous. A new balloon tire has been hailed everywhere as the world's greatest -- but without either reason or evidence of this important fact. Speed, unattainable except under race-track conditions, is advertised by a surprisingly large number of motor car makers and in a manner that has aroused not only open antagonism, but legal action in some cases. And the bright, clean boys of the soap business are always blowing bubbles, a poor foundation for a solid business structure.

"Razor blades are made by a new process so startling that it cannot even be described. A shock absorber for light cars, standard for years but smaller than former models, is blazoned as the very first of its kind -- a

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"Razor blades are made by a new process so startling that it cannot even be described. A shock absorber for light cars, standard for years but smaller than former models, is pictured as the very first of its kind -- a

revolutionary invention. Oil burners are advertised at 'installed' prices which omit the price of the tank; as much as forty per cent of the total cost of the outfit being thus concealed from the naked eye. (There's a confidence-builder for you!) Pictured absurdities that never happen pile up the discount and reduce confidence to near the zero mark. Incredible home painting jobs are done by unruffled girls without soiling dainty fingers or getting a single spot on the bungalow apron. Serious business conferences are interrupted by a hot tip on shaving cream. The dread secret of broken homes and fractured marriages is revealed -- and so is the only known remedy.

"Makers of floor covering show pictures of gorgeous kitchens large enough to house an advertising convention. Laboratory tests offer alleged 'scientific' proofs of everything under heaven and frequently omit the one thing of importance in such tests -- which is the name of a first-class authority." (9)

If credibility is a sound business practice and sincerity only a moral quality, the "ingenious" weavers-of-words who created the above copy appeals would do well to strengthen our credibility through the application of sincere expression.

Use of Superlatives.-- A study of this nature brings out the fact that the most outstanding type of inaccurate advertising deals with the out and out superlatives. Examples of such claims are, "recording-breaking," "most marvelous," "unchallenged," "sensational," "the best," "unequalled," "most," etc. Some critics call this flamboyant advertising, super-advertising. The cases where such "bursts of enthusiasm" are justified are few and far between. The most serious objection to this type of advertising is that it seriously weakens the respect of in-

(9) Sincerity; A Power-Source for Advertising, pamphlet by the Chicago Association of Commerce, pp.4-5.

(3) Sincerity; A Power-Source for Advertising, pamphlet by the Chicago Association of Commerce, pp.4-5.

telligent people for advertising in general and their confidence in advertising statements. When two or more similar products are advertised as "the best," or "the cheapest," the average reader settles this conflicting assertion by discounting all advertising. Advertising thus loses its effectiveness.

The following excerpts are taken from recent toilet article copy:

"The magic of this product transforms the skin. It lifts away wrinkles and restores youthfulness. It brings a clear, beautiful, complexion almost over-night.

"In five days I will give you a magnetic personality.

"Unmask your Hidden Beauty! With the aid of this product you can peel off freckles, tan, pimples, acne, blackheads, liverspots, wrinkles and sallow, muddy or oily skin."

Such advertising holds the toilet goods industry up to ridicule and should be wiped out.

Tree Climbing Taught by Mail

Here is a new and uncrowded profession open to you! Why not get in on it before it is too late? Right now trees are growing all over the world faster than we can find men to climb them.

Learn in Your Own Home!!

We give you a chance to enter this fascinating profession at reduced rates, as we are making a big drive for new students. By 1935 we expect to have one or more of our graduates in every tree now growing.

Our course of fifty simple lessons will teach you all the secrets of the world's greatest tree climbers. To all students who enroll within the next ten days, we will give a uniform, six trees and supply of bushes for practice work.

Realize What This Means to You

You can take orders for birds' nests, recover boys' kites and pick fruit. In addition, think of the fun you can have by dropping things on people and also peeking in windows.

You Can Do What These Men Have Done!!

A. B. Cedar of Mustardville, W. Va., writes: "After your very first lesson I started climbing, and earned twenty dollars after supper getting pussy willow buds."

"My wife and I are taking your course and have enjoyed it all over again, as it keeps us out in the air together a lot." Mr. and Mrs. Cuthbert Geives, Ohio.

Try This Test Free

Hold two fingers of one hand up as shown in the illustration. Now look at them with the left eye closed.

Open the left eye and close the right. How many fingers do you see each time? The correct answer is TWO.

REMEMBER: YOU ARE ON YOUR HONOR WHILE TAKING THIS TEST!

The above "advertisement" though obviously a humerous take-off of a type of super-advertising prevalent today was "run" by one of the leading periodicals totally oblivious of the fact that some of the actual advertising copy in its own medium was as far-fetched and exaggerated. In the same issue was a full page advertisement for the Vecto Heater, a pipeless furnace built to look like a victrola, which "when installed in the living-room will send a steady stream of warmth all through your home." The advertiser answers the question, "How can one heater warm my home on the same amount of fuel I now use to heat one room?" by saying, "The answer is that the usual heater concentrates all its heat in one room, really overheating it, while the Vecto distributes the heat evenly through a series of rooms." Realizing that this assertion is a bit preposterous they go on to assure the reader that, "Thousands of owners have found this amazing fact to be true." Believe it or not, without pipes or any other physical means of radiating heat this "most scientifically designed heater of

its kind in all the world" takes the place of your present heater or furnace making "your home warm in every room, in every nook and corner" besides "giving you the greatest value per dollar cost."

Within fifteen minutes ride of Boston University is a large safety razor manufacturer who also advertised in the same issue that "You can always get a smooth, comfortable shave from your Gillette Blade; the blade, at least, doesn't change, and its swift, sure job is the same under any conditions." They tell us "The steel is the finest in the world...we test every ribbon with crucible and micrometer even before we pay the import duty...during the last ten years Gillette has spent millions of dollars on steady blade improvements alone. Four out of every nine Gillette employees are inspectors and do nothing else. They get double pay for every blade they discard. They make certain that every package of Gillette Blades contains its full quota of smooth, comfortable shaves for you." They even tell us that, "Eight out of ten American men count on the Gillette Blade to start the day right -- seven days a week. And Gillette takes extraordinary precautions not to disappoint them."

All this may be true but we venture the guess that ten out of ten men will tell you seven days out of seven that Gillette Blades are inferior to those turned out before the war notwithstanding the "extraordinary precautions" and

the millions of dollars spent on so-called blade improvements, tests and so forth. The reasons of course are obvious as are the reasons for their imperative admonition appearing in every advertisement and on every package of blades, "No stropping - no honing." This command as it is expressed suggests almost a legal prohibition.

Possibly we should be charitable in criticizing this advertisement for we have been told that a woman reigns over the advertising sanctum sanctorum at the Gillette plant and being a woman invader in the field of men's toilet accessories she knows not whereof she speaks.

Lest the reader get the idea that super-advertising is a recent product of the twentieth century let us peruse a few advertisements typical of the sixteenth century.

"Loss of Memory, or Forgetfulness, certainly cured by a grateful electuary peculiarly adapted for that end; it strikes at the primary source, which few apprehend, of forgetfulness, makes the head clear and easy, the spirits free, active, and undisturbed, corroborates and revives all the noble faculties of the soul, such as thought, judgment, apprehension, reason and memory, which last in particular it so strengthens as to render that faculty exceeding quick and good beyond imagination; thereby enabling those whose memory was before almost totally lost, to remember the minutest circumstances of their affairs, etc. to wonder. Price 2s. 6d a pot. Sold only at Mr. Payne's, at the Angel and Crown, in St. Paul's Churchyard, with directions."

"Since so many upstarts do daily publish one thing or other to counterfeit the original strops, for setting razors, penknives, lancets, etc., upon, and pretend them to be most excellent; the first author of the said strops, does hereby testify that all such sort of things are only made in imitation of the true ones which are permitted to be sold by no one but Mr. Shipton, at John's Coffee House, in Exchange Alley, as hath been often mentioned in the Gazettes, to prevent people being further imposed upon."

Here is an opposition notice that appeared shortly afterwards in the Daily Courant of January 11:

"The right Venetian Strops, being the only fam'd ones made, as appears by the many thousands that have been sold, notwithstanding the many false shams and ridiculous pretences, as 'original,' etc., that are almost every day published, to promote the sale of counterfeits, and to lessen the great and truly wonderful fame of the Venetian Strops, which are most certainly the best in the world, for they will give razors, penknives, lancets, etc., such an exquisite fine, smooth, sharp exact and durable edge, that the like was never known, which has been experienced by thousands of gentlemen in England, Scotland and Ireland. Are sold only at Mr. Allcraft's, a toy shop at the Blue Coat Boy, against the Royal Exchange, &c. &c."

An editor of one paper even in these earlier days must have had remorse of conscience as is indicated in the following, says Dr. Hess:

"Pray, mind the half sheet. Like lawyers, I take all courses. I may fairly; who likes not may stop here." (10)

Exaggerated Statements.-- The following list selected from one issue of a local paper though not exhaustive gives an idea of the prevalence of exaggerated statements objected to by the judges passing on advertising copy:

1. "Unsurpassed values in furniture."
2. "Automobile sale, Never again such values. These (used) cars cannot be told from new. Absolutely the best of condition. Absolutely the best buy in town."
3. "The most astonishing reductions ever made in the furniture industry."
4. "Suits sold at cost and below. All profits sacrificed."
5. "The supreme dress sale of the year"
6. "The lowest price on record."
7. "The most astounding sale in the city's history."
8. "Bargains you will remember a lifetime."

(10) From History and Present Status of the "Truth-in-Advertising" Movement by Dr. Herbert W. Hess in The Annals of the American Academy of Political and Social Science, May, 1922.

9. "No one else dares to offer such wonder dresses at these ridiculous prices."
10. ""Unsurpassed values in jewelry."
11. "We are practically giving away hundreds of our men's suits and top coats."
12. "This is the most complete, as well as the smartest collection of millinery ever shown in this city."
13. "Select any dress at your own terms."
14. "We trust you. We'll loan you up to three hundred dollars without investigation."
15. "Hand-tailored suits at twenty-five dollars."

This list could be expanded practically indefinitely if space permitted. Possibly the advertisers justified many of these extravagant statements as mere praise of goods or "puffing". From a legal stand point "puffing" is not considered fraudulent unless it contains an element of untruth in regard to material matters of fact. The Circuit Court of New York in a leading case of this kind held that "The modest suggestions of the defendent that his thread is the latest and best is harmless exaggeration understood and discounted by all. It is not fraud, but merely trade talk. No one is deceived; no one is injured." (11)

The more responsible merchants are taking the position that no word in any advertisement shall be merely trade talk "understood and discounted by all."

In a recent talk before the Philadelphia Club of Advertising Women, Mrs. Laura Carson of the Federal Advertising Agency predicted that the days of superlatives and catch phrases in advertising copy are numbered. These constant characteristics of current copy, combined with an

(11) Clark Thread Company vs. Armitage, 67 Federal 896, May 22, 1895.

increasing freedom in speech and action on the part of the public, was making the consumer shock-proof, she claimed.

"Nothing shocks them any more," she declared, "and those of us who deal in words must look about for a new bag of tricks with which to attract and hold attention. In advertising it may well be that we are on the brink of an era in which we shall again avail ourselves of the emphasis of understatement, in which products will cease to be super, and best, and finest and take unto themselves selective adjectives which will really describe and distinguish them." (12)

Be that as it may, the flagrant use of superlatives and exaggeration will kill itself, and other kinds of advertising as well, for the consumer living in a world of advertising noise, is gradually closing his ears to this blatant shouting.

Testimonials.-- The next general classification of undesirable advertising seems to be the use of testimonials, the use of tests which are not tests and the use of science that is not science. The greatest contributors of testimonials in the past have been actresses, though of late a queen, members of the lesser nobility and society women of wealth and fame galore have come forward endorsing anything from face creams to frying pans. It is said that members of the latter group frequently justify their acts by donating to charity the large sums of money they receive through

(12) Printers' Ink news item, December 1, 1927, p. 117.

perjury. Charity and religion should not be used as a cloak to bamboozle the public into believing that Mrs. Gotrocks is a habitual user and bona fide endorser of Pains' Three Creams.

The most brazon and cold blooded proposition of that kind that has come to the author's notice was a copy of a popular weekly (13) that contained in one issue, eight different articles of merchandise, all advertised to the consumer by means of testimonial endorsements from Constance Talmadge. This was in addition to a regular full page advertisement featuring the release of her new picture, "Breakfast at Sunrise." One might facetiously say that Connie put in a full day for the advertisements appearing in the following sequence showed her having:

"Breakfast at Sunrise," wakened by the alarm of the "Ansonia Squareclox," donning her "Benrus Wrist Watch," chewing "Dentyne Gum." With her "Juliet engagement and wedding rings" she steps into a car fitted with "Air Container Pneumatic Tires." She uses exclusively, "Gold Seal Radio Tubes," and "Pleasantly Banishes Excess Fat with Marmola Tablets." This generous little star tops it off with another full page advertisement in which she says, "I can hardly wait to see First National Super-Movies for 1927-28."

Chase and Schlink (14) tell of Famous Names, Inc.,

(13) Liberty Magazine, October 29, 1927.
(14) Op. cit. p. 24.

Chicago, (Branches in New York City and Hollywood, California) purveyors of endorsements, pictures and what-not, of famous personalities for fees ranging between $150 and $2,500. They ask this thought provoking question: "Do we buy because Babe Ruth or Red Grange or the Queen of Roumania endorses a product -- with a full length portrait and signed testimonial?"

The cigarette manufacturers of late have resorted to this bombastic form of advertising. It has even come to a point where competitive claims are held up in contempt. Lucky Strikes probably started the mad stampede by advertising the "testimony" of scores of doctors to the effect that the Lucky "toasting" process makes "Luckies" easy on the larynx. Camel came back at them in a haughty footnote to the effect that; "If all cigarettes were as good as Camel you wouldn't hear anything about special treatments to make cigarettes good for the throat. Nothing takes the place of choice tobaccos."

The Chesterfield Company added more fuel to the flame by a subtle, bitter, and pointed two lines which flayed not only Lucky's campaign in particular but all testimonial advertising. These lines, printed beneath a picture of an anonymous actor, read:

"First Star: 'They tell me you'll endorse any cigarette for a consideration....'
Second Star: 'Sure, so long as the consideration isn't that I give up my Chesterfields!'"

Old Gold of coughless carload fame, in an à la Briggs style was the first to resort to the humorous testimonial. Then along came Murad with her "embarassing moments" and advertising the uncomfortable to "be nonchalant and light a Murad" series. Marlboro not to be outdone, called upon the spirit of the world's greatest general and got this testimonial: "Always before a famous battle I calm my nerves with a MARLBORO." signed, NAPOLEON. Which causes us to wonder which cigarette will be the first to invoke the testimonial-aid of the Deity and just where is this practice going to end.

The latest wrinkle in testimonial advertising is found in the warfare being waged between the cigarette industry and the candy industry. "Luckies" fired the first shot in their "Reach for a Lucky instead of a sweet" campaign with a testimonial from a famous American general informing us that cigarettes made our boys fit while candy made them unfit for battle activity. This shot has become a veritable broadside with each new issue depicting a new face and signature. First a German sea raider, then a titled English lady and now American society people are falling over themselves in their attempts to add weight to the argument. To retaliate the candy people feel compelled to resort to the same amunition. Old Gold evidently of a pacific turn of mind advises us to "Eat a chocolate, light an Old Gold, and enjoy both!"

"Steady Your Nerves," the basis for a new copy angle by Tareyton finds its expression in a so-called investigation recently conducted by the Union Tobacco Company in which thousands of Tareyton smokers were accosted in the act of purchasing their favorite brand, and politely asked their reasons for making that particular selection. We are told that the smoker's work was of a character demanding steady nerves and quick decisions, and that he or she had found that Herbert Tareytons are soothing and helpful; also, that one could smoke as many of them as desired without any noticeable bad effect upon nerve reactions. A newspaper reporter, an aviator, an officer of one of the big transatlantic liners, a deep-sea diver, a novelist, a train despatcher, a passenger-train engineer, and a trained nurse tell us how they safeguard their lives as well as the lives of others by having steady nerves -- and all attributed to good old Tareytons.

The cough drop industry not to be out-done have enlisted the aid of the theatre profession whose members in great numbers step out of character to tell us that the best lines in the whole show are always spoiled because some one in the audiance forgot to fortify himself with a box of Brown Brothers Whisker-Drops or Luden's Laments.

Even that perfect physical specimen, Gene Tunney, whose acceptance of millions and matrimony has made him loath to appear on the front pages feels that it does not violate his desire for retirement and oblivion to enter the

advertising columns with photograph, signature and testimonial to the effect that his "appetite was increased and a desire for intensive training was created" by his "daily practice of taking a swallow from a bottle of Nujol before retiring."

Worse than the testimonials of general merchandise are endorsements of "patent medicines" and "proprietaries." The former, in the legal sense of the word, is a product whose composition is not secret, and the latter, in which the inventor keeps the formula to himself (except in so far as a certain very limited class of poisonous or narcotic ingredients must appear on the label pursuant to the Pure Food and Drugs Act), hunts up a name with a good sales appeal, and has the name or trade mark registered. Most of them are worthless and fail to produce the results claimed for them if the opinions of the judges engaged in this survey merit any consideration. Among the more prominent products of that nature might be mentioned, Peruna, Tanlac, Marmola, Sanatogen, Doan's Kidney Pills, Nuxated Iron (15), Bell-ans and the famous Lydia E. Pinkham's Vegetable Compound.

A newspaper advertising friend of the author's recently informed him that the night before the Dempsey-Willard fight the newspapers had set up two advertisements in anticipation of the outcome of that classic encounter. One was a paid testimonial from Willard to be run if he won, on "How I Licked Dempsey" and the other also a paid testimonial from Dempsey which was run, on "How I Licked

(15) Supposed to have been the means of winning two heavyweight bouts according to Jess Willard and Jack Johnson.

Willard." In each case they attributed their success in that famous battle to Nuxated Iron.

It has been said that nearly one half million dollars worth of supplies have been donated by various manufacturers to Commander Byrd for use in his South Pole expedition. One shudders to think of the burst of testimonial advertising which will appear as soon as word reaches this country that Byrd has finally reached the Pole.

"Testimonial advertising inspired the following comment in a letter from C. Maxwell Tregurtha, Editor of The New Publicity, the advertising journal published in London:

"'I am very glad to have your letter and the article embodied in it. I am interested to learn that the mania for illustrated testimonials has spread to your country. Here we have most ridiculous portraits of ridiculous grinning men and simpering women uttering stupid remarks about cigarettes and things. Personally, I regard them as a sheer waste of money and merely as a means of disposing of money which otherwise would be paid in super-tax by the firms concerned. There isn't a grain of salesmanship in them.

"'Over here we know that the testimonials which appear under the portraits of famous people are not genuine. The testimonials are written in an agency and submitted to the famous people for their autographs. George Robey, our alleged comedian (and one of the last of a famous crowd of real music-hall comedians) recently wrote a testimonial for a hire-purchase firm. I think he won a bath-robe for his testimonial. I regard testimonial advertising as the first sign that rot has set in at the agency producing it, or the firm employing it. These are merely my views. They may be wrong.'" (16)

It is our guess that Mr. Tregurtha is not wrong and that he is merely expressing every-man's opinion. The sooner advertisers realize this the sooner they will turn

(16) From The Advertising Spiral by Otto Kleppner, September 20, 1928.

to a more effective form of advertising.

It is bad enough to solicit an endorsement from one who is unacquainted with your product, but it is infinitely worse to distort comments and criticisms in such a way that they appear to be whole-hearted testimonials. This is an old trick borrowed from those kings of super-advertising, the theatrical advertisers, who have used it for years. "Percy Hammond announces that 'Katie's Cuty' is 'the best example of a rotten show I have ever seen.' The owner of 'Katie's Cutey,' in his next day's advertisement, carries this line: 'The best show I have ever seen.' Percy Hammond." (17)

Several humorous though typical examples of this method of obtaining testimonials are as follows:

"In accordance with contemporary practice, The Blotch Beauty Mud Company sent out, through its advertising agency, 1,000 questionaires to regular users of its product. The returns were carefully selected and edited; one or more were used in each advertisement of the company. Following is the original return:

"Gentlemen: Your Mud is certainly the finest example of consummate gall and unadulterated nerve I have ever seen. It is a crime to foist it upon a gullible public.

"This is how it appeared in type:

"The finest.....I have ever seen.

"Another original return:

"Dear Sirs: If you want to know what I think about your Beauty Mud, I think you ought to be in jail, and I am sure there is at least one person in every home who thinks the same.

"This is how it appeared in type:

(17) Eminent Scientists Say and Our Own Conclusive Tests Prove --, by C. B. Larrabee, Printers' Ink, Feb. 2, 1928, p.65.

"Ought to be.....in every home.

"Another original return:

"Gentlemen: I marvel that you can get away with it without being hung. This Mud is so rotten that I can think of nothing better to call you than a bunch of cheap skates.

"This is how it appeared in type:

"I marvel that.....this Mud is so.....cheap.

"Another original return:

"Gentlemen: Your Mud is the best example I know, that people with money will buy almost any bum product they see.

"This is how it appeared in type:

"Your Mud is the best.....that.....money will buy." (18)

"Nine out of ten firemen use this gargle," says a quarter of a page advertisement. But what does it mean? What ten firemen have they in mind? How many thousands of firemen were questioned and in what sections of the country did this test take place? Perhaps the figure is right, but we must know something about their method of making the test -- were enough men examined before an unprejudiced body of scientists to give a fair test? -- before we are ready to believe that cold and unvarnished statement.

Advertised tests, investigations and statistics are invariably untrue. In the hands of one advertiser they are doctored up to prove one thing and in the hands of a competitor to prove another. There is a good deal of truth in the maxim that "There are three kinds of untruths; a lie, a damn lie and statistics."

(18) Developing an Advertising Campaign, by Bill Ziegfeld in The International Adcrafter, issue No. 1., pp.10-11.

When a person has given a testimonial spontaneously and without return of any kind either in the form of cash or merchandise it is generally conceded that this form of advertising is ethical. When one has received a consideration for a testimonial and the testimonial is published as a spontaneous expression it is considered misrepresentation.

For a long time manufacturers of band instruments caused the Federal Trade Commission considerable trouble by soliciting testimonial letters from well-known band leaders, soloists, etc., the consideration for such testimonials being either money or the donation of or free use of certain instruments made by the manufacturers. Finally the leading manufacturers of band instruments after a number of conferences with the Commission adopted the following agreement which, it is hoped, will eliminate some of the bad practices of this type:

1. That they will not give instruments to any one.
2. That they will not loan instruments for the purpose of having them used by prominent musicians.
3. That they will not offer gratuities to anyone to induce him to use or recommend their instruments.
4. That they will not make special terms to prominent muscians that are not available to retail customers generally.
5. That they will not grant extra allowances for second-hand instruments.

This agreement is in keeping with the spirit of modern advertising; that is, that all advertising must be truthful and that testimonials quoted in advertising should be spontaneous contributions and not the result of pecuniary consideration.

Closely related to the paid testimonials of prominent men and women are the "First Person Confessionals" of some nonenity, but so cleverly written that they cannot fail to get attention even though they do not ring true. "What a Bride of Six Months Learned About her Husband," reads one intriguing headline. And this is what you learn, "as told by the bride:"

As a bride of six months I had much to learn about the eating habits of my newly acquired husband. I found that he was drinking caffein with his meals three times a day and wondering why he was so nervous and irritable. I could think of no remedy, for if I refused him his meal time stimulant he seemed more irritable than ever.

Think of it! A bride of six months and she has to contend with the demon Drink! But don't worry, the beginning of the cure is found in the sample package which every bride of six months, more or less, can get if she sends in the coupon.

I tactfully introduced the subject to my husband. He consented to the test on condition that after the thirty days I let him have his caffein back. I agreed. The results of those thirty days read like a fairy tale. My husband's irritability vanished. He could read the whole evening through without becoming restless; he slept soundly and was perfectly well. When the thirty days were over he preferred the drink without caffein.

And so, though married, they lived happily ever after. Another attention-grabber but convincingless suggestion:

Advice to Wives Whose Husbands Don't Save Money
By a Wife

My husband and I used to be careless with money. Fred made a good salary but we spent practically every dollar of it.

Then something happened that opened our eyes. Fred was

taken sick, and confined to bed for five weeks. By the time he was able to go back to work we were penniless -- worse than that, we had been obliged to borrow money to live.

After that I began to worry about money. What would happen to us if Fred were sick for several months? What would happen if he were incapacitated in some way and unable to go on with his work?

The answer could be found in a remarkable little book, "How to Get the Things You Want." So she sent for it.

It was one of the most valuable, interesting and unusual books I ever read. It made me think of Fred.

The book told how Fred and I and the children could be sure of a steady income even if Fred became totally disabled and unable to go to work again. It told how we could provide money to pay the children's way through college -- money to leave our home free of debt. It told how we could provide an income to live on when Fred decided to retire from business. Best of all, it explained how we could do these things on the modest salary Fred was making.

I showed the book to Fred; he was interested. We decided to follow the plan outlined. In a short time we had taken steps to provide for every single one of the things we wanted. Soon we found ourselves on the road toward a life free of worries.

There is no doubt but that book belongs on Dr. Lowell's five-foot shelf. Here is another tempting morsel addressed to the "Stylish Stout;"

The personal story of a woman who made herself over into a slim, graceful buoyant, healthy person -- free from the ill-effects of obesity.

This is the story of one who "used to be a 'Stylish Stout'" and of a delightful book that "was the turning point" in her life. To quote her own words: "It rescued me from the misery of fat and showed me the way to make myself exquisitely slim in a short while."

It was a perfect torment for me to be stout. I couldn't go anywhere without being reminded that I was fat. I couldn't walk a block without sitting down. Even the lightest housework quickly tired me. My heart would beat too fast if I hurried. I was afraid to accept invitations because I knew people would always be talking about me. You can imagine what misery fat caused me -- aches and pains in my body as well as mental worry.

Here is one from the girl who admits she is "The Best Dressed Girl in Town" and she tells us how she does it:

My friends are constantly admiring my clothes and wondering how I manage to dress so well on a small income. They just can't believe that I do my own sewing,(and neither can we) for my clothes never have a home-made look.

Use of Comparative Prices.-- The third class of advertising which is objectionable is the use of comparative prices and values which abound in the retail field. To advertise that a $40 suit may be purchased for $25 is objectionable when the usual price is only $30, or even $25. Since analysis has proved that a very large per cent of comparative price claims investigated were incorrect, the use of that form of advertising should be reduced to a minimum unless the advertiser is absolutely certain of their correctness.

From an economic stand point, "value" and "worth" should be determined by the prevailing price of similar merchandise in competitive stores. Since the use of these words is often a matter of opinion, advertisers should be conservative in using these terms. "Originally" should mean the first price at which the merchandise was marked in the advertiser's store during the period not exceeding

six months previous. "Formerly was," or "were," should mean the price prevailing on this merchandise immediately before this sale. "Regularly" should mean the regular price on the sale merchandise in the advertiser's establishment. "Savings of $5 to $10," or fractional statements as "one-third," or "one-quarter," should be understood to mean that amount of saving below today's value.

The constant market fluctuations and the fact that the public as a rule, know little on what basis the quotation is made, makes the use of this type of advertising even more objectionable. The continued use of comparative values in advertising weakens the belief of the public in advertising in general.

Misbranding of Merchandise.-- The next type of fault which is objectionable is the use of misleading and ambiguous names, or misbranding of merchandise. The abuses of this nature are legion and worthy of more extensive exposure than space here permits. The following primary materials have suffered most in this respect: wool, cotton, linen, silk and rayon. (19)

Merchandise advertised as being "wool" or "linen" should mean all wool or all linen. If merchandise contains other materials the advertisement should clearly state that fact and the exact amount. "Wool and cotton" is preferrable to "Wool mixed."

(19) Standards recommended in this chapter drawn from Washington Better Business Bureau pamphlet, Standards for Accurate Advertising.

Rayon should always be used instead of "Fiber", "Fiber Silk," "Artificial Silk," "Art-Silk," etc. The Federal Trade Commission has ruled that "Silkette" is misleading and "Silk Mohair" a misnomer as there is no such material.

"Wooly Warm" and similar trade names attached to wool and cotton blankets are misleading. "Silk Rayon" is also a misleading misnomer.

Plush and other fabric imitations of furs should be advertised so that it is made clear to the public that "fabrics," and not "furs," are being offered.

"Hand tailored" should mean entirely tailored by hand.

"Fashioned" or "Full fashioned Hosiery" should apply only to hosiery knitted flat and thereafter seamed down the back having stitches dropped at the course beginning where the contour of the leg narrows. "Tubular hosiery" should be advertised as seamless, mock seam or seam-up-back, to definitely show the public the merchandise is of a type other than "full fashioned" or "fashioned." Silk hosiery having cotton or mercerized tops and feet should have that fact stated in the advertisement.

In fur advertising, coined trade names such as "Marmink" or "Sealine" should always be qualified by a parenthetical explanation of what fur is used, and all imitations of seal should be qualified in parentheses by the name of the actual fur from which the imitations are

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made: example, "Hudson Seal (Dyed Muskrat)," "Bay Sea," "French Seal," "Laskin Seal," "Near Seal," etc. should all be qualified by (Dyed Coney), or (Dyed Rabbit).

Imitation pearls and all imitation jewels colored or manufactured to imitate other jewels or stones, should be clearly qualified by "imitation," "artificial," "manufactured," or "color."

In advertising merchandise as "gold" or "solid gold" the karat content should be stated, i.e. "Men's signet rings 14K Solid Gold."

Since sterling silver is generally understood to mean solid or sterling silver assaying 925-1000, confusing or misleading trade names indicating solid silver applying to merchandise of silver plate should always be qualified.

The term "Perfect Diamond" should be prohibited unless the diamond is absolutely free from flaws, blemishes and carbon spots. The term "Flawless" is preferrable in describing such a diamond. Approximate weights of diamonds should be given and guaranteed.

Strict adherence to the Better Business Bureau's "Name the Woods" program is recommended. These standard designations for furniture are:

1. Furniture in which exposed surfaces are of one wood shall be designated by the name of the wood.

2. Furniture in which exposed surfaces are of more than one kind of wood shall be designated by the names of the principal woods used.

"Men's silk stripe shirts" is misleading when the

material is rayon. "Custom made" means shirts made and cut singly to the order and measure of the customer. Such phrases as "Made the custom way" are misleading when the merchandise is manufactured in the usual manner, despite the fact that the shirts may be extra well made and full cut.

"Hand made shoes" should mean shoes not only turned out but completely made by hand. Imitation leather should at all times be so qualified.

Radio claims for distance or loud speaker reception, should be based on average performance. Radio sets should not be advertised as "complete" unless there is nothing further to buy. "Complete" includes batteries, aerial, etc. When selling a discontinued model, it should not be represented as still possessing its list price value.

These are only a few recommendations that might be made to clean up advertising.

Use of Bait Copy.-- When a merchant advertises a product but refuses to sell it when a purchaser asks for it the practice is known as "bait copy."

Bait copy has been defined by Judge Charles Bowles in the United States Records Court in an opinion handed down when he found the P. A. Starck Piano Company, an Illinois corporation guilty of violating Michigan's State advertising law. He declared that,

"Bait advertising which announced goods for a sale, when there were no such articles actually for sale, constituted illegal advertising. On the other hand, if said advertisements were placed in the papers simply to advertise the name of the defendant company and to get people to come

to its store, it could only be at the expense of innumerable persons who would be led to the defendant's place of business under deception that they could purchase its merchandise as advertised. If this be the purpose of the advertisement, it would be a gross deception and a trespass on the convenience of the public, which the State would be amply justified in prohibiting in the proper exercise of its police power, and would constitute a plain violation of the act in question. The Court, accordingly, finds that the advertising here complained of was false, deceptive, misleading and a plain violation of law." (20)

Bait advertising usually takes one of the following forms:

1. Offer of a "leader" at an attractive price.
2. Offer of something free.
3. Offer of two articles for the apparent price of one.
4. Free trials.

Sales as a Means of Attracting Attention.-- Genuine clearance sales undoubtedly have a place in retailing today; it clears up an overstocked condition and enables the merchant to make room for new goods, new styles, etc. However, it appears that the sales method of disposing of goods has been so over-worked by certain retailers that the situation is somewhat analogous to the old fable of the boy who cried, "Wolf, wolf," when not in need of help only to find that when the wolf really did appear, the populace paid no attention to him. Undermining the confidence of the public with this high pressure method of salesmanship results in little of this kind of copy being read by the more intelligent buyers. There ought to be a fool-proof law against this practice, however.

(20) "Baiting Condemned by Federal Judge," Printers' Ink, December 29, 1927, p. 199.

Use of the Word "Free".-- The use of the word "free" is another practice that should be discontinued, for it is time to recognize the fact that those who offer to give something for nothing are simply playing on the credulousness of a moronic public. Practically all cases of the use of this term involve the consideration of the purchase of another article, the price of which is sufficiently high to warrant the so-called "free" offer. This form of advertising is really bait advertising.

This type of advertising is illustrated by the following circular sent out by the "Church of the Purification," Madras, India:

"It occurred to me that a beautiful Oriental rug would be a fitting ornament for your home and office. I am prepared to send you one "FREE" if you will send me a small donation towards the work which I am doing in India. The size of the carpet will be according to the size of your generous gift.

"Positively I am not selling these carpets, but I am only giving them away as a token of my heartfelt gratitude to donors."

On the inside page there appears a picture of a rug with the word "FREE" all over it. Underneath it says:

"Size 2' x 4' donation $ 5
Size 6' x 4' donation $ 25
Size 16' x 12' donation $100"

Best of all, the final touch:

"Note: packing, postal and customs charges are extra." (21)

Disparaging Copy.-- Disparaging copy is a new and more subtle way of knocking your competitor. It is particulary

(21) From The Advertising Spiral, Otto Kleppner, December 17, 1928.

prevalent between competitive industries. We are urged to build with cinder block because it has greater tensile strength than brick; wall boards are more effective as insulators than plaster and lath; oil heaters are less costly and dirty to operate than coal furnaces; certain drinks do not destroy our nerves like coffee does; silk stockings and dresses wear longer than others. And so the merry battle goes on, each company or industry for himself and the public trys to take stock and unravel the mystery as to which piece of merchandise is after all the best suited for his needs. Positive and constructive copy is what we need rather than knocking and mud-slinging.

Meaningless Guarantees.-- In these days of rash advertising claims one may wonder just what is meant when an item of merchandise is declared to be "fully guaranteed," "warranted satisfactory," or just "guaranteed." The words may look well in print but have little meaning. A manufacturer can, and does grow wealthy selling 50 cent articles "fully guaranteed or money back," -- articles which are not costly enough to warrant the trouble and expense of returning however worthless they may be. Should a few disgruntled customers take the trouble to return the product, it is a small matter to refund the money with the announcement that the customer has improperly used the article. On the other hand, there are thousands who have

purchased the article and through inertia fail to protest even though the article may prove to be definitely inferior to what they had a right to expect for their money. It is the profits derived from these that make it worth-while for the advertiser to continue to feature his device as offering the best "service" -- a word now almost battered beyond recognition.

"Service," "guarantee," "money back" -- are all catch phrases designed to dupe the buyer and separate him from his hard earned wages. The unconditional guarantee is highly objectionable unless it can be absolutely and unequivocally observed.

Other Forms of Advertising Misrepresentation.-- Under the general heading of misrepresentation as to workmanship or origin we encounter unfair advertising of "seconds" and second-hand merchandise, unfair practices in the sale of convict-made goods, misleading use of words "from factory to you," misrepresentation as to origin in house-to-house selling and calling goods "Government merchandise" or "Government surplus" when such is not the case. In addition to general misrepresentation as to value we hear of merchandise with retail prices advertised as "wholesale prices."

Free offers (if you buy something else), retail lotteries, suit clubs, puzzle schemes, discount checks, premiums, misleading cuts, schemes for endless-chain selling, the "transfer" or "switching" practice in retail stores,

"bankrupt" and "receivers" sales, "going-out-of-business" sales, "specials" as to time and place, "stuffed flat" schemes and advertising plagiarism are additional forms of objectionable advertising that let themselves in for considerable criticism and should command rigid regulation.

Our competitive system provides a mechanism through which productive resources of all kinds may be distributed with wide discretion on the part of individuals or groups. However, in most modern states it has been necessary to impose some legal restraints upon this freedom, restraints which have varied with changes in the economic order. (22) These restraints and remedial measures are discussed in the next chapter.

(22) Public Regulation of Competitive Practices, National Industrial Conference Board, 1926, pp. 3-6.

PART III.

CHAPTER IV. Remedial Measures for the Correction of Advertising Abuses

CHAPTER V. The Application of the Remedial Measures to the Work of the National and Local Better Business Bureaus

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Remedial Measures for the Correction of Advertising Abuses

"Advertising depends wholly upon its believability for its value as a business force. Without believability, advertising is worthless. Super-advertising is the worst enemy that believability faces today. Super-advertising must be destroyed." (23)

Henry Ford thought that the simplest way to end the Great War was to ask the soldiers to leave the trenches by Christmas and go home to pleasanter and more profitable pursuits. When he arrived on the scene of activities he found that this method was not as simple as he thought for men and nations are irrational and illogical and short-sighted where such simplicities are concerned. The Great War like every other martial conflict came to an end only after an armistice, conference or other supefluities of peace.

The simplest method of ending this seige of super-advertising would be to have the advertisers refrain from making exaggerated claims for their products. Advertisers are like warring nations and groggy prize fighters -- each one sick of the whole business, and anxious for the other fellow to give up, but reluctant to be the first to throw up the sponge.

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(23) Can Super-Advertising be Destroyed? by C. B. Larrabee, Printers' Ink, Feb. 9, 1928, p. 34.

Because of this reluctance, the public in self-defence has set up certain outside agencies that are making valiant attempts to restore peace and tranquility in the field of marketing. Unfortunately these outside agencies do not possess the same power and authority that mediators, conciliators and arbitration courts possess in labor circles. The purpose of this chapter is to review the work of those principal quasi-public bodies and others who are in a position to better the advertising profession.

Advertising Agencies.-- Chief among the latter group possessing power to initiate a reform are the advertising agencies, which through the American Association of Advertising Agencies have frequently expressed themselves in favor of truthful advertising. Unfortunately this expression has been merely a gesture for even the best of them are given to gross exaggeration in developing the merits of their accounts. Since practically all national copy is prepared by agencies, this body could wipe out untruthful advertising over-night by refusing to write such copy.

Some advertising critics maintain that the basis of untruthful advertising is the laziness or inefficiency of the copy writers. It does not require much mental brilliance or physical effort to describe a client's product as, "The World's Best," "Far Superior to Anything Else on the Market," or "The Greatest Value Ever Offered." The agency which consistently prepares that kind of copy shows either a dis-

torted view point or an incompetant copy staff.

Even the courts are recognizing that the advertising agent is as much to blame as the advertiser for unwarranted claims. Recently in Judge W. Cloyd Snyder's court in South Pasadena, California an advertising agency was found equally guilty with the advertiser under the Printers' Ink Model Statute. (24) Each was fined $200 and sentenced to 90 days in jail for making this false claim in an advertising circular issued by the head of a furniture sales company: "One hundred of the finest mattresses, coil springs and box springs, both full-size and single, to be sold for one-half factory prices and less." "Other statements in the circular were criticised by the court who stated that there was clearly an intent to deceive the public as to the character of the store, which was described as a 'wholesale manufacturer's furniture sales company warehouse'. The court expressed the opinion that the advertising agency also was using deceptive tactics in representing itself as adjusters when, in fact, it was but an advertising agency." (25) Although the furniture dealer figuratively "passed the buck" to the agency, the court would not accept that excuse for it maintained it was inconceivable that a business man would permit an advertisement of a special sale to run without his knowledge.

The agencies' remedial measures may be stated as

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(24) See page 88.
(25) Advertising Agent Prosecuted with Fraudulent Advertiser, Printers' Ink, Oct. 6, 1927, p.112.

(24) See page 86.

(25) Advertising Agent Prosecuted with Fraudulent Advertiser, Printers' Ink, Oct. 6, 1927, p.112.

being three-fold:

First, it is their duty to discourage those clients who request this type of advertising by offering them copy of a better nature.

Second, they must be willing to do the necessary amount of research work in the advertiser's field while exercising thought and adhering strictly to the truth in preparing his copy.

Third, they must absolutely refuse to handle accounts which demand anything but truthful advertising. In this respect, there must be concerted action on the part of all agencies or else the account will go to some other agent for the unwholesome service that his warped conscience thinks he needs.

Mediums as a Corrective Agent.-- The question may be asked, "What is the newspaper doing to promote accuracy in advertising?" Some of the mediums have already made a serious effort to eliminate untruthful advertising. The average publisher of a reputable paper realizes that super-advertising eventually reflects on the integrity of his publication and the loss of this integrity is harmful. As a result, there are some publishers who do not permit untruthful advertising in the pages of their mediums.

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When N. W. Ayer & Son laid the corner-stone of their new building in Philadelphia, the senior partner, Wilfred W. Ayer, stressed the importance of sincerity in

advertising, and said, according to the New York Herald-Tribune:

'I commend the attitude of those publishers who have refused great contracts because of insincerity of statement,' Mr. Frey said, 'and take this occasion to urge upon those who use advertising, those who prescribe advertising and those whose livelihood depends upon advertising to fight against its prostitution. We regard truthful advertising as synonymous with education and a chief contributor to the enlightment of present and future generations. The greatest peril in the path of advertising is that those who know its power, but who have no regard for the principles upon which that power rests, will abuse advertising by the use of misleading statements, insincere testimonials and exaggerated claims. The very cornerstone of advertising is threatened by those who wilfully debauch it.'" (26)

One such publisher who had lost several accounts because of the stand he took in respect to questionable advertising in an interview with C. B. Larrabee said:

"I have a splendid feeling of righteousness and I know that we have the confidence of our readers. However, it is not pleasant to chuck dollars out of the window which should stay in the house. As conditions are today, there are not enough publishers alive to the menace of super-advertising to take concerted action. Without concerted action, the publisher who is fighting super-advertising merely sends a certain number of pages from his own publication to another which is less aware of the evils of super-advertising -- or which doesn't care, anyway." (27)

If the publishers of the leading mediums of the country would take a definite stand by absolutely refusing this type of advertising it would soon disappear. If the individual publisher here or there is content to fight untruthful advertising only by refusing it space in his publication, little will be accomplished. The greatest and quickest results can be obtained only by the concerted co-

(26) From Contact, house organ published by Edward L. Bernays, Counsel on Public Relations.
(27) Can Super-Advertising be Destroyed? by C. B. Larrabee, Printers' Ink, Feb. 9, 1928, p.34.

(26) Iron Content, House organ published by Edward L. Bernays, Counsel on Public Relations.

(27) Can Super-Advertising be Destroyed? by O. B. Zarrabee, Printers' Ink, Feb. 9, 1928, p.34.

operation of all publishers in refusing all such advertisements and by reforming those tendering questionable copy. The publisher can do considerable constructive work by showing advertisers how they can correct the practices within their industries. Should he care not to assume the role of an unprejudiced outsider or mediator for any industry, he can show that industry that there are organizations which will gladly help, and when such advice is not heeded, he can report the offending advertiser to the proper authorities for punitive or corrective measures.

"For the last several years, various statements have been made by members of the Federal Trade Commission,(28) and particularly by W. E. Humphrey, chairman, which gave unmistakable evidence that the Commission felt that publishers were not doing all they might do in working toward the elimination of false and misleading advertising. This thought has recently culminated in a decision to bring about a conference of periodical publishers at which the publisher's responsibilities and duties with regard to false advertising will, it is hoped, be clearly outlined.

"Further information regarding what lies back of this conference plan is contained in a letter written by Mr. Humphrey to Fleming Newbold, of the Washington, D. C.. Evening Star:" (29)

My Dear Mr. Newbold:

Knowing of your interest in the question of protecting

(28) See page 91.
(29) Government to Call Publishers' Conference on Fake Advertising, Printers' Ink, June 7, 1928.

the public from fraudulent advertising, I am taking occasion to write you as follows:

For the past year I have been studying this question. While it cannot be stated with accuracy, I believe the amount of which the people of this country are annually robbed by such advertising exceeds five hundred million dollars. The greater part comes from the poorer classes, that are apparently unable to protect themselves or to successfully demand redress. I have examined magazines that carried in a single issue more than fifty false and misleading advertisements. I do not refer to the advertisements that are apparently true, or in the twilight zone, but to those that are shamelessly and brazenly false, and known to be so by the publisher.

The Post Office Department, (30) the Department of Justice, and the Federal Trade Commission have tried to suppress and control this gigantic fraud, but they have failed. This is largely due to the fact that these crooks are generally fleeting and irresponsible. When suppressed in one place, they change their names or move to another locality, and continue their practices.

What is the remedy? What of the publisher? Without his help these schemes could not be successfully consummated. The publisher helps perpetuate the fraud. He shares in the ill-gotten gains. The publisher is "the go-between" that brings the crook and his victim together. Why should not the publisher be made a party to the suit? I believe that one action against a publisher would often have more effect than fifty against the advertiser alone.

I know it has been argued that it is a grave responsibility to place upon the publisher to make him responsible for the truth of the advertisements he publishes. But every man must take the responsibility of conducting his business according to law. The honest publisher does not ask to be made an exception. Many publishers carefully censor the character of their advertisements.

One of the most valuable assets of the publisher is the belief of the public in the honesty of the advertisements he carries.

The Commission has a practice that it frequently follows, of inviting the representatives of an industry to a conference, where those who attend may of their own motion adopt rules of practice for their guidance. These conferences furnish an opportunity for an industry to clean its own house and, on its own initiative, to abolish practices that are unlawful.

It does not mean that those who attend such conferences

(30) See page 117.

are themselves guilty of unfair practices. Quite the contrary is generally true, for these conferences are usually urged and brought to a successful termination by those in an industry who are obeying the law, and who wish not only to protect the industry, but the public.

The Commission is now considering the advisability of calling such conference in the publishing industry. This plan is the farthest possible from an attempt in any degree to censor the press. It is simply an opportunity to abandon practices already declared unlawful in the industry. It is proposed to call first a conference with the publishers of periodicals, as we thought from the size of the industry that the best results could be obtained by dividing it into different branches. However, at this conference of the periodical publishers we should like very much to have some of the leading newspaper publishers represented.

I may add that I have discussed this matter with representatives of probably one-half of the publishing industry of the country, and without a single exception they have approved such proposed plan.

I should like very much to have your thought in relation to this matter, and if you approve the proposal and the Commission finally decides to hold such conference, may we have your assistance and co-operation?

Very truly yours,
Federal Trade Commission,
(Signed) W. E. Humphrey, Chairman.

It is evident the Commission is not unanimously in favor of this conference judging from Commissioner Abram F. Myers' dissenting memorandum which he has filed expressing his reasons for disapproving of the proposed conference. (31) The complete text of this memorandum follows: (32)

Memorandum by Commissioner Myers

While I am heartily in favor of eliminating false and

(31) Mr. Myers has since resigned from the Commission.
(32) Trade Commissioner Myers Votes Against Publishers' Conference, Printers' Ink, June 21, 1928, p.41.

misleading advertising, I am constrained to vote against this proposal for a Trade Practice Conference with the publishers of periodicals and newspapers. The only information supplied by the Director of Trade Practice Conference is that it is a proposal for "efficiently eliminating from this field of publicity all advertisements of a false and misleading nature."

In cases of false and misleading advertising the person guilty of an act of "unfair competition," within the meaning of our organic act, is the advertiser who sells his goods in interstate commerce. Hundreds of cases against advertisers have been handled by the Commission since its formation. In my view the publisher can only be held in such cases where there is clear proof that he has connived with the advertiser, in which cases he becomes a party to the advertiser's interstate fraud.

Such cases are rare; but they constitute the only ground for asserting jurisdiction over the publishers of the country.

Not only do I entertain grave doubt as to the Commission's jurisdiction as regards the publishers, but I am apprehensive lest the proceeding result in an unauthorized delegation of Governmental power to the publishers.

As I understand it, the publishers will be expected to adopt resolutions not to accept particular kinds of advertising or the advertising of particular concerns. It is to be purely a publishers' convention and the advertisers will not be represented, except indirectly through the advertising agencies, the intermediaries between the advertisers and the publishers. It follows, therefore, that the rights of the advertisers will be determined at a meeting sponsored by the Commission in which they will have no voice.

Publishers relying on resolutions approved by the Commission will be expected to cut off particular advertisers on the theory that their advertising is contrary to law. This will deny to such advertisers the full hearing guaranteed to them by the Trade Commission Act.

It is no answer to say that a publisher, acting alone, has the right to decline any advertisements tendered for his periodical or paper, since what is here proposed is the concerted action of all or nearly all the publishers, instigated by the Federal Trade Commission.

What I would guard against is the charge that the Commission has been instrumental in establishing a blacklist under which the concerns listed will be deprived of the right to have their cases heard and decided by the tribunal designated by the statute.

Printers' Ink in an editorial (33) denies Commissioner Humphrey's contention that "The publisher is 'the go-between' that brings the crook and his victim together," and claims he has answered his own question, "Why should not the publisher be made a party to the suit?" when he wrote in The Nation's Business that "One of the highest and most sacred rights of every honest business is the right to be let alone. It is the duty of the Government not to place on honest business any unjust burden."

They further contend that "The publishing business is an honest business. If it were possible to compare such an abstract matter as honesty, it would doubtless be found that the publishing business is as honestly conducted as any of this country's industries. Therefore, we believe the publishing industry should "be let alone."

"We also suscribe to the belief that 'It is the duty of the Government not to place on honest business any unjust burden.' In our opinion, Commissioner Humphrey's plan to make the publisher a party to a suit charging misleading advertising involves placing an unjust burden on the publishing industry.

".....our stand is not in opposition to the conference itself, although those who claim that advertising is not interstate commerce object to any move which places the advertising industry under the jurisdiction of the Trade Commission. Our objection, rather, is to the direction which Commissioner Humphrey is endeavoring to give the con-

(33) The Right to Be Let Alone, June 21, 1928, p. 190.

ference. We object, in other words, to Commissioner Humphrey's avowed intention to induce the publishing industry to shoulder the responsibility for misleading advertising. We object to a conference which has been called, not to stimulate free discussion, but to secure confirmation of preconceived notions, expecially when those preconceived notions conflict with established methods that are the result of years of experience in fighting fraudulent advertising."

At the preliminary meeting of the Commission officials, publishers' representatives and advertising agency interests held in New York on June 21, 1928, the Federal Trade Commission declared it had no intention to increase jurisdiction over advertising or to increase the publishers' legal responsibility. The purpose of this meeting was to set a date and place for the conference and to explain the proposed conference on fraudulent advertising. At this meeting were representatives of the American Association of Advertising Agencies, National Better Business Bureau, Periodical Publishers Association, Agricultural Publishers Association, the New York Times, the Conde Nast Publications and the Curtis Publishing Company. The Federal Trade Commission was represented by its director of trade practice conferences, M.M. Flannery and its chairman, W. E. Humphrey.

"All that the Commission wants to see accomplished by this conference," said Commissioner Humphrey, "is an expression of willingness on the part of publishers to make a

reasonable examination of advertising before they accept it and to say what constitutes a reasonable examination." (34)

The conference was held in New York on October 9, 1928 and adopted a plan whereby the periodical publishers will look to the National Better Business Bureau (35) for guidance on fraudulent advertising, and that the Better Business Bureau, in its turn will call to the attention of the Federal Trade Commission and other proper corrective governmental agencies any instances where publishers continue to accept fraudulent advertising after the Bureau has warned them against accepting such advertising.

Following is the resolution, in which that plan was incorporated, as it officially appears on the minutes of that conference:

"WHEREAS, at this conference on trade practice for periodicals, held in response to the call of Hon. W. E. Humphrey, Chairman of the Federal Trade Commission, Chairman Humphrey said in part, '...The majority of periodical publishers not only obey the law but often go far beyond what the law requires in selecting the advertisements they will publish....I do not believe there is an industry in America conducted by more honest, high-minded, public-spirited men and women than the publishing industry. I do not believe that any industry in America has greater power for good....I believe that the future greatness and security of the nation rests to a greater extent upon the publishing industry than probably any other.'

"BE IT RESOLVED that we express our sincere appreciation of such commendation, from so high an official and personal source, of the principles and conduct of the publishing industry: and

"WHEREAS, the record of the publishing industry for many years past shows that the very great majority of such

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(34) No Government Censorship of Advertising, by Albert E. Haase, Printers' Ink, June 28, 1928, p.35.
(35) See page 120.

(34) No Government Censorship of Advertising, by Albert D. Lasker. Printers' Ink, June 28, 1928. p.33.

(35) See page 120.

publishers have of their own initiative taken measures to eliminate fraudulent advertising from their columns, and have welcomed every practical suggestion to increase the efficiency of such measures.

"BE IT RESOLVED that we recognize the fact that the National Better Business Bureau, an organization composed of and supported by the businesses of advertising, is the most competent agency of assistance to the businesses of advertising in preventing frauds in advertising and selling; and that said Bureau has expressed its willingness to co-operate in every way with publishers in eliminating fraudulent advertising; and

"BE IT FURTHER RESOLVED that we desire and will welcome every co-operation and assistance of the National Better Business Bureau; and said Bureau having expressed its willingness and ability to do so, that we request said Bureau to advise periodical publishers generally, and whenever deemed advisable any governmental agency, whenever advertising which is being published, or is likely to be offered for publication, is established by said National Better Business Bureau to be fraudulent upon reasonable investigation and notice to the person complained of." (36)

When this resolution has been accepted and approved by the Commission it will be sent to every periodical publisher in the country with a request for approval.

F. M. Feiker, managing director and secretary of The Associated Business Papers in writing on the ethics of advertising says that competitive copy practices threaten not only advertisers but advertising itself: (37)

"Recognizing the mutual advantage to buyer, advertiser and publisher of accepted standards for accurate, truthful and effective advertising, the following principles, which I presented at the fourth annual Executive Conference of the Associated Business Papers, Inc., are recommended for discussion and acceptance by advertisers, advertising agents, publishers and organized manufacturing and trade groups:

"1. That advertising copy which singles out individual

(36) Publishers' Agreement on Fraudulent Advertising, Printers' Ink, Oct. 18, 1928, p.140.
(37) Advertising Ethics in a Buyer's Market, Printers' Ink, Oct. 25, 1928, p.122.

competitors is unfair and unethical.

"2. That effective copy best expresses what the product, equipment or service is, rather than what a competitor's is not.

"3. That comparisons between the manufacturer's product and old methods or present general practice are sounder business building than comparisons with a single competitor's product.

"4. That statements of comparative efficiencies must be accompanied by proof and complete supporting data in the same advertising copy.

"5. That advertisements of patent infringement suits being started and advertisements of preliminary injunctions are not acceptable.

"An advertisement of a final decision is admissible, provided the facts are capable of substantiation, the wording subject to approval, and the court and circumstances of the decision clearly stated.

"A general notice that patent rights will be protected against infringement, as a general warning against the manufacture, sale or use of infringing appliances, is acceptable.

"6. That the buyer's belief in advertising statements is in the custody of the advertiser (or his agent) and the publisher, and both share the responsibility for fair play."

The Value of the "Printers' Ink" Model Statute.-- "In the days before the agitation for honest advertising the courts refused to protect the public in a suit between private individuals. That was considered to be the job, not of the private individual, but of the district attorneys, the county solicitors, and other public officials. But attorneys for the public have little time for such matters. There are too many murders and too many anti-trust cases.... In the caveat emptor days, no obligation rested on a merchant to protect his customer from fraud or loss. Yet in those days such obligation existed in other relations of life.

"....Now the law steps in. It does not recognize whims and passing fancies of the public. It does recognize a duty created by obligations, sanctioned by public sentiment and will enforce such duty; and, as the public now recognizes the existence of an obligation on the part of the dealer to the advertiser to deal honestly and truthfully with the public, the law has begun to enforce that duty. Witness the statement by Judge Anderson in 1925 in the First Circuit United States Court of Appeals, in Boston:

"'....It should never be over-looked that trade-mark and unfair competition cases are affected with a public interest. A dealer's good-will is protected, not merely for his profit, but in order that the purchasing public may be enticed into buying A's product when it wants B's product. In meritorious cases of this kind, the plaintiff is acting not only in his own interest, but in the public interest.'" (38)

After many years of pioneer work against fraudulent advertising, Printers' Ink in 1911 sought a means of stopping the dishonest advertiser by legislative action. Harry D. Nims, a well-known corporation lawyer and author of the standard legal work, "Nims on Unfair Competition," was engaged to draw up a model statute for all states which would be uniform and which would serve as a legal weapon against dishonest advertisers.

The "Printers' Ink Model Statute

Any person, firm, corporation or association who, with intent to sell or in any wise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly to be made, published, disseminated, circulated, or placed before the public, in this State a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an adver-

(38) How Laws Grow, Harry D. Nims, Printers' Ink, Nov. 3, 1927, pp.25-6.

tisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive, or misleading, shall be guilty of a misdemeanor. (39)

Having in mind the "grievance committee" of the Bar Association whose business it is to run down the shyster lawyer, Printers' Ink suggested to the Associated Advertising Clubs of the World that it take over the work of incorporating this statute into the laws of the various states and of seeing to it that it was enforced. In presenting the Model Statute to the Associated Advertising Clubs, Printers' Ink declared: "We are against any law unless at the same time it is made somebody's business to watch out for infractions of the laws, to collect the evidence and see that the case is pressed." (40)

As a result of this suggestion the National Vigilance Committee and its affiliated Better Business Bureaus were inaugurated. (41)

The first state to adopt this statute was Ohio in 1913 and the latest state to join the ranks is Illinois. Today the Printers' Ink Model Statute is a law in the following twenty-three States:

Colorado	Iowa	Minnesota	New Jersey	Oklahoma
Idaho	Kansas	Missouri	New York	Oregon
Illinois	Kentucky	Nebraska	North Dakota	Rhode Island
Indiana	Louisiana	Nevada	Ohio	Virginia
		Washington	Wyoming	

(39) Reprint from Printers' Ink, issue of June 5, 1924. The Barrier Against Dishonest Advertising.
(40) Ibid.
(41) See page 120.

The following States have toothless substitutes for the Model Statute:

Alabama	Maryland	Pennsylvania	Texas
Arizona	Massachusetts	South Carolina	Utah
California	Montana	South Dakota	West Virginia
Connecticut	North Carolina	Tennessee	Wisconsin

The reason their statutes are toothless is because they have inserted a joker into their laws in the form of the word "knowingly," or its equivalent. In the main their statutes start off; "Any person, firm, corporation or association, who 'knowingly' or 'with fraudulent intent'", which absolutely nullifies it and renders it inoperative.

Printers' Ink is not anxious for their statute to become a Federal Law for it is felt that it is possible to obtain action more readily in the State courts than it is in the Federal Courts. Furthermore, there are generally more cases ahead on the docket in the Federal Courts than in the State Courts.

The constitutionality of this law has been attacked a number of times, but the law has always been upheld when it became necessary for it to be called into action. The effectiveness of the law depends upon its enforcement. The agency which is the most active in bringing advertising abuses to the attention of the prosecutor's office is the Better Business Bureau.

The Federal Trade Commission.-- The Federal Trade Commission Act was drafted by Joseph E. Davies in 1914 at the request of President Wilsom, when Mr. Davies was Com-

missioner of Corporations. With the organization of the Federal Trade Commission, the Bureau of Corporations ceased to exist, and all its pending investigations, records, and property were taken over by the Commission.

Section 5 of the Act authorizing the Commission empowers it "to prevent persons, partnerships, or corporations (except banks and common carriers subject to the acts regulating interstate commerce) from using unfair methods of competition in interstate commerce." Under our anti-trust acts, it is necessary to find that a trust or monopoly is created which restrains trade before a criminal prosecution is possible. The Federal Trade Commission Act is intended to deal with unfair business practices in such cases where it is not possible to apply the anti-trust laws.

The Commission has developed a comprehensive and definite list of trade practices which, from time to time, it has condemned. The list given below is taken from the complete list as published in the Annual Report of the Federal Trade Commission for the year ending 1926: (42)

1. Misbranding of fabrics and other commodities respecting the materials or ingredients of which they are composed, their quality, origin, or source.

2. Procuring the business or trade secrets of competitors by expionage, by bribing their employees, or by similar means.

3. Procuring breach of competitors' contracts for the sale of products, by misrepresentation or by other means.

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(42) Arranged by H. H. Shively in "The Nature of Unfair Methods of Competition in the Retail Field," Ohio State Univ. publication, Feb. 1928, pp. 5-8.

4. Inducing employees of competitors to violate their contracts or enticing away employees of competitors in such numbers or under such circumstances as to hamper or embarrass them in business.

5. Making false or disparaging statements respecting competitors' products, their business, financial credit, etc.

6. The use of false or misleading advertisements.

7. Passing off the products, facilities, or business of one dealer for those of another by imitation of product, dress of goods, or by simulation or appropriation of advertising or corporate or trade names, or places of business, and passing off an inferior product for a superior product theretofore made, advertised, and sold.

8. Preventing competitors from procuring advertising space in newspapers or periodicals by misrepresenting their standing, or other misrepresentation calculated to prejudice advertising mediums against them.

9. Selling rebuilt machines of various descriptions, rebuilt automobile tires, and old motion-picture films slightly changed and renamed as and for new products.

10. Giving away goods in large quantities to hamper and embarrass small competitors, and selling goods at cost to accomplish the same purpose.

11. Sale of goods at cost, coupled with statements misleading the public into the belief that they are sold at a profit.

12. Giving and offering to give premiums of unequal value, the particular premiums received to be determined by lot or chance, thus in effect setting up a lottery.

13. Various schemes to create the impression in the mind of the prospective customer that he is being offered an opportunity to make a purchase under unusually favorable conditions when such is not the case as:

(a) Sales plans in which the seller's usual price is falsely represented as a special reduced price made available on some pretext, for a limited time or to a limited class only.

(b) The use of the "free" goods or service device to create the false impression that something is actually being thrown in without charge when, as a matter of fact, it is fully covered by the amount exacted in the transaction taken as a whole.

(c) Sale of goods in combination lots only with abnormally low figures assigned to staples the prices of which are well known, and correspondingly highly compensating prices assigned to staples the costs of which are not well known.

(d) Sale of ordinary commercial merchandise at usual prices and profits as pretended Government war surplus offered at a bargain.

(e) Use of misleading trade names calculated to create the impression that a dealer is a manufacturer selling directly to the consumer with corresponding savings.

(f) Plans ostensibly based on chance, or services to be rendered by the prospective customer, whereby he may be able to secure goods contracted for at particularly low prices, or without completing all the payments undertaken by him, when, as a matter of fact, such plans are not carried out as represented and are a mere lure to secure his business.

(g) Use of pretended exaggerated retail prices in connection with, or upon the containers of, commodities intended to be sold as bargains at lower figures.

(h) Falsely claiming forced sale of stock, with resulting forced price concessions, when as a matter of fact, there is mingled with the customary stock inferior goods, or other methods are employed so that, as a matter of fact, no such concessions are in fact accorded.

14. Imitating or using standard containers customarily associated in the mind of the general purchasing public with standard weights of the product therein contained, in order to sell to said public such commodity in weights less than the afore-mentioned standard weights.

15. Concealing business identity in connection with the marketing of one's product, or misrepresenting the seller's relation to others -- e.g., claiming falsely to be the agent or employee of some other concern, or failing to disclose the termination of such a relationship, in soliciting customers of such concern, etc.

16. Misrepresenting in various ways the advantage to the prospective customer of dealing with the seller, such as:

(a) Seller's alleged advantages of location or size.

(b) False claims of being the authorized distributor of some concern.

(c) Alleged endorsement of the concern or product by the Government or by nationally known businesses.

(d) False claim by a dealer in domestic products of being an importer, or by a dealer of being a manufacturer, or by a manufacturer of some product of being also the manufacturer of the raw material entering into said product.

(e) False claim of "no extra charge for credit."

(f) False claim of being manufacturers' representative and outlet for surplus stock sold at a sacrifice, etc.

17. Showing and selling prospective customers articles not conforming to those advertised, in response to inquiries, without so stating.

18. Direct misrepresentation of the composition, nature, or quality of the product offered and sold.

19. Securing business through undertakings not carried out, and through dishonest and oppressive devices calculated to entrap and coerce the customer or prospective customer, such as:

(a) Securing prospective customer's signature by deceit to a contract and promissory note represented as simply an order on approval, securing agents to distribute the seller's products through promising to refund the money paid by them should the product prove unsatisfactory, and through other undertakings not carried out.

(b) Securing business by advertising a "free-trial" offer proposition, when, as a matter of fact, only a "money-back" opportunity is offered the prospective customer, etc.

Powers of Investigation.-- The Commission was given the powers of investigation and report, and to facilitate its work it was granted the authority to call upon buiness men to produce records of all sorts and to give testimony when required. A recent report (43) issued by this body explains that the Commission deals with an industry as a unit and is concerned solely with practices and methods,

(43) Federal Trade Commission Trade Practice Conference, Sept. 15, 1927.

not with individual offenders. It regards the industry as occupying a position comparable to that of "friend of the court" and not as that of the accused. It wipes out on a given date all unfair methods condemned at the conference, and thereby places all competitors on an equally fair competitive basis.

According to the report, the trade conference referred to above, affords a means through which representatives of an industry voluntarily assemble, either at their own instance or that of the Commission, but under the auspices of the latter, for the purpose of considering any unfair practices in their industry, and collectively agreeing upon and providing for their abandonment in co-operation with the Commission. The conference performs the same function as a formal complaint issued by the Commission, but without bringing charges, prosecuting trials, or employing any compulsory process. It multiplies results by as many times as there are members in the industry who formerly practiced the methods condemned and voluntarily abandoned.

The report states that the Commission in April, 1926, established a Division of Trade Practice Conferences to co-ordinate and expedite the work, enlarge the scope of the conferences, provide for proper action in case of any alleged violation of the conference rules, and to promote closer cooperation between business as a whole and the Commission in serving the public.

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In brief, the principal activities of the Commission are confined to the following:

A. Prevention of unfair methods of competition.

B. Act as a master in anti-trust cases at the discretion of the court.

C. Investigation upon its own initiative, at the direction of the President, or either House of Congress, of any corporation engaged in interstate commerce.

D. Collection of reports from any interstate corporation.

E. To investigate at the request of the Attorney General or on its own initiative the manner of dissolution of any trust ordered dissolved or the manner of conducting a corporation which has been ordered changed.

F. Collect and publish information of public interest.

G. Supervise export trade associations.

Unfair Competition.-- In a research of this nature we are chiefly concerned with the Commission's first and principal activity -- unfair competition. Congress has given the Commission the right to determine just what constitutes unfair competition but no attempt has been made to define it. Dean Lord in his book (44) in quoting from John B. Clarke's book (45) says that, "In general, however, unfair competition may be understood to be 'any practice whose natural result is to make survival depend on other qualities than industrial efficiency.'"

Lord lists the following principal types of unfair

(44) The Fundamentals of Business Ethics, by Everett W. Lord, pp. 102-3.
(45) The Control of Trusts.

competition:

A. Local price-cutting, with object of putting competitors out of business, after which prices may be raised to a higher level than before.

B. Operation of bogus "independent" concerns.

C. Maintenance of "fighting ships" and "fighting brands" -- temporary expedients to disorganize a market and force competitors out of business.

D. Rebate and preferential contracts, a violation of the one price principle now recognized as the ethical foundation of commerce.

E. Espionage and the use of detectives, to learn competitors' secrets and to obtain models and patterns.

F. Bribery of employees of competitors.

G. Preventing competitors from securing materials or supplies.

H. Hiring employees away from competitors.

The Commission never interferes of its own accord, but only when somebody protests, and in that case it is almost always a vindictive competitor. "If the misrepresentation or misbranding takes place entirely within the confines of one state, never entering interstate commerce, the Commission is not concerned. Such a case will have to be handled according to the local legislation obtaining -- if any. Usually there is not any -- or if there is, the District Attorney is too busy." (46)

When a bona fide complaint has been filed, the Commission acts much in the same manner as a court. Concrete advertising evidence is presented and the Commisssion,

(46) Your Money's Worth by Chase and Schlink, p.209.

by majority vote, hands down its decision which may be an order to the respondent "to cease and desist " from his methods of unfair competition, or he is not so ordered, depending on the facts and the conditions in the trade.

A prospective respondent is permited to have an informal hearing before a complaint is issued. "The primary purpose of this hearing is to afford the prospective respondent an opportunity to show cause why a complaint should not be issued against his business, 'and also affords the Commission an opportunity to secure all possible facts relating to the alleged violation of law before the Commission and the respondent are aligned against each other in an adversary proceeding.'" (47)

The three following rules adopted by the Commission in 1927 are of special interest in all cases involving the sale of advertised goods:

1. "Private litigation.-- It shall be the policy of the Commission not to entertain proceedings of alleged unfair practices where the alleged violation of law is a purely private controversy redressable in the courts except where said practices substantially tend to suppress competition as affecting the public.

2. "Stipulations.-- The rules shall be that all cases shall be settled by stipulation except when the public interest demands otherwise.

3. "Publicity.-- In the settlement of any matter by stipulation before complaint is issued no statement in reference thereto shall be made by the Commission for publication. After a complaint is issued no statement in regard to the case shall be made by the Commission for publication until after the final determination of the case.

After a complaint has been issued and the answer of the respondent has been filed or in case the respondent

(47) The Trade Commission Tells What it is Doing, Printers' Ink, Dec. 8, 1927, p.77.

fails to file an answer by the rules provided the papers in the case shall be open to the public for inspection, under such rules and regulations as the secretary may prescribe.

It has been the rule, which is now abolished, to issue a statement upon the filing of the complaint stating the charges against a respondent.

Concerning the withholding of publicity where cases are settled by stipulation without complaint, the custom has always been not to issue any statement. It has always been and now is the rule not to publish or divulge the name of an applicant or complaining party, and such party has no legal status before the Commission except where allowed to intervene as provided by the statute." (48)

In respect to the last clause mentioned above, Chase and Schlink, (49) "regret to state, the Commission seems to have adopted a more cautious policy in respect to the cases which come before it. There is a definite tendency to make more private agreements with offending companies; letting them off without publicity for the findings on their promise to behave themselves in the future. This is thought to be less upsetting to business. Doubtless it is, but since when has it been the announced policy of public authority to refrain from upsetting proven offenders against that authority? Furthermore there is a tendency to go lightly on the larger concerns while treating the smaller companies as summarily as heretofore." They follow up that statement with a review of several cases bearing out their contention.

Regardless of whatever truth there may be in the claim that the Commission's methods are too much of the silk-glove variety, it is recognized that this body has rendered considerable good to the public at large as witnessed by a

(48) Ibid. pp.77-78.
(49) Opp. citi. Your Money's Worth, p. 210.

few of the large number of cases that have come before it for adjustment:

Gold-plated finger rings; paper industry; creamery industry; rebuilt typewriters; butter manufacturers; pyroxylin plastics; package macaroni; guarantee against decline in prices; knit goods industry; oil industry; Sheffield silver hollow-plated ware; gold-mounted knives; gold-filled watch cases; standard sheet music; subscription book publishers; band instrument manufacturers; engraved-effects printing; anti-hog-cholera serum virus; mending cotton manufacturers; "Castile" soap; correspondence schools; insecticide and disinfectant industry; "Rayon" defined; retail furniture dealers of New York City and the woven furniture industry. (50)

Relative to its action against various business concerns charged with attempting to maintain prices, the Commission on December 12, 1927, issued the following memorandum:

> The question of resale price maintenance is one of the most troublesome with which the Commission has to deal in the present state of the decisions. The early Federal cases trace the principle to a passage in Coke on Littleton dealing with restraints on alienation. Courts, in attempting to apply these ancient principles, have fallen into hopeless confusion. Orders of the Commission, issued under its organic act, have been upheld in some circuits and set aside in others on almost undistinguishable states of fact.
>
> It is evident that legislation will be required to cure the present unsatisfactory conditions; and it seems unlikely that Congress will enact such legislation without definite information as to the probable effect thereof on competition and prices. (51)

(50) For a review of these cases see Trade Practice Conferences Bulletins issued July 6, 1925 and Sept. 15, 1927. For additional cases see Your Money' Worth by Chase and Schlink.
(51) Why I Believe in Price Maintenance by Hon. Clyde Kelly, Printers' Ink, Jan. 31, 1929, p. 105.

In conclusion it may be said that if after hearing a complaint the Commission still feels convinced of the justice of the complaint, it issues a restraining order to the offender, and if the order is not obeyed, the Commission may apply to the Circuit Court of Appeals for enforcement of the order. In that event, the Court has complete control over the case and may confirm, modify, or set aside the order of the Commission. The offender also has the right to petition the Court to set aside the order, and he has the further right of appeal to the Supreme Court.

Trade Organizations.-- Dr. James T. Young of the University of Pennsylvania in concluding an article said: "Our future policy should permit changes in national and state laws to allow for further growth of trade associations. Our government should even encourage and assist in their growth. The trade association is the national means of expressing the standards of an industry." (52)

As a rule, trade associations work through "codes of ethics" voluntarily set up by their own groups with the purpose of improving the standard of practice. The pressure of the group for observance of any particular practice tends to keep the individual member in line in these associations.

Dean Lord in his chapter on Codes of Ethics presents the codes of a number of organizations which are the outgrowth of the business practices of the various

(52) Sales Policies and the Federal Trade Commission, in the Annals of the American Academy of Political and Social Sciences, Sept. 1924.

organizations and which represent the highest standards of conduct. (53) Among them are the codes of ethics of the Rotary International, American Bakers' Association, American Dental Association, American Specialty Manufacturers' Association, National Association of Retail Grocers, American National Retail Jewelers Association, National Paper Box Manufacturers' Association, National Wholesale Men's Furnishings Associations, and E. A. Filene's personal business code.

At the annual meeting of the Association of National Advertisers held in New York in November, 1927 and attended by 300 leading national advertisers, the following resolution was adopted: (54)

Whereas, recent discussion by writers and investigators has emphasized the tendency on the part of a few advertisers to use superlatives and exaggerated claims in advertising copy, and

Whereas, such discussion may cause the lay public to gain the impression that all advertising is exaggerated and not worthy of public confidence, be it

Resolved, by the Association of National Advertisers that we reaffirm our belief that sincerity and restraint in advertising copy is essential to the success of any program of selling through advertising, and be it further

Resolved, that we urge the members of this Association to contribute to the good of all advertising by paying particular heed to the long established principles of truth and sincerity in the preparation of all advertising published over the signature of members of this Association.

Some idea of the caliber of the membership of this association can be gained by noting the names of those

(53) Op. cit. Lord, Chapter XV.
(54) National Advertisers Act Against Insincerity in Copy, Printers' Ink, November 10, 1927, p.33.

occupying office. William A. Hart, of E. I. du Pont de Nemours and Company, Inc. was elected president to succeed S. E. Conybeare (55) of the Armstrong Cork Company. The following new directors were elected: Lee Bristol, Bristol-Myers Company, New York; Verne Burnett, General Motors Corporation, Detroit; Miller Munson, Hoover Company, Chicago; A. T. Preyer, Vick Chemical Company, Greensboro, N. C. and W. F. Earles, United States Rubber Company, Akron, Ohio. These men together with the following, constitute the board of directors: Merle Banker Bates, Life Savers, Inc., Port Chester, N. Y.; W. K. Burlen, New England Confectionery Company, Cambridge, Mass.; T. F. Driscoll, Armour and Company, Chicago; Carl Gazley, Yawman and Erbe Manufacturing Company, Rochester; and B. Lichtenberg, Alexander Hamilton Institute; Herbert Metz, Graybar Electric Company, and Evans E. A. Stone, Standard Oil Company of New York City.

While it may be doubted that the condemnation of exaggeration voiced by the Association of National Advertisers resoltution represents the unanimous view of America's 28,000 national advertisers, nevertheless, it is refreshing to find similar sentiments being echoed in a surprising variety of channels.

In 1928 Senator Brookhart of Iowa introduced the following resolution which provides:

The Federal Trade Commission is hereby directed to undertake an inquiry into the chain store system of marketing

(55) Advertising Manager of the Armstrong Cork Company located in Lancaster, Pa. and former president of the Lancaster Advertising Club.

and distribution as conducted by manufacturing, wholesaling, retailing or other types of chain stores and to ascertain and report to the Senate, (1) the extent to which such consolidations have been effected in violation of the anti-trust laws, if at all; (2) the extent to which consolidation or combinations of such organizations are susceptible to regulation under the Federal Trade Commission Act or the anti-trust laws, if at all; (3) what legislation, if any, should be enacted for the purpose of regulating and controlling chain store distribution. (56)

Senator Brookhart suspects the chain store is guilty of creating a monopoly in the distribution of goods both nationally and locally and he is endeavoring to ascertain whether they are engaged in unfair competitive methods and whether their ability to give low prices is, as they claim, based on efficient and economical operation or "upon quantity prices available only to chain store distributors or any class of them."

In October the National Chain Stores Association met in Memphis, Tenn., and adopted the following resolution:

RESOLVED, That this organization will freely offer its assistance to the Federal Trade Commission in its pending investigation. That we will cooperate in the elimination of any illegal or unsound methods that may have proven to exist in the food industry. That we will further defend and pursue our general policy of economical distribution of commodities, believing it to have been proven beneficial to the public at large, and since the public desires our form of merchandising and service, it is entitled to it. We further believe in the justice and fairness of our laws, and agree to limit our conduct in accordance with their requirements, and claim the benefits and protection afforded by those laws and the decisions of our courts construing them. We believe in the soundness of the natural law of supply and demand, and in free and open competition in pursuance of that law. We oppose any measure that will interfere with such competition and that arbitrarily fixes the selling price of commodities. (57)

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(56) Chain Stores Organize for Strong Defensive Fight, Printers' Ink, Oct. 18, 1928, pp. 144-150.
(57) Ibid.

During the last summer certain elements in the grocery trade went to the Federal Trade Commission alleging unfair practice, uneconomic operations and certain violations of law on the part of the chains. On October 1, the Commission held a Trade Practice Submittal Conference with the grocery industry in New York City and the following "misdeeds" were aired:

Preferential allowances to favored customers; discriminative prices to the chains; sales below cost; secret rebates; free deals; drop shipments; misrepresentation in advertising; commercial bribery; premiums and prizes; quantity differential or discount; cash discount; division of brokerage.

As the result of these claims the National Chain Stores Association at its Memphis meeting adopted the following resolution, which in effect is, a declaration of offensive warfare: (58)

Whereas, The Federal Trade Commission is conducting a Grocery Trade Practice Conference of all the branches in the industry of manufacturing and distribution of food products; and

Whereas, The National Chain Stores Association of the United States has been included in such conference, and has been invited to submit a resolution setting forth what, if any, unfair practice might be eliminated by action of the conference; and

Whereas, There has been submitted for consideration of the conference statements alleging various unfair practices in the industry;

Be it Resolved, That the National Chain Stores Association of the United States requests the Conference to inquire into and take action upon the unfair practice of promoting excessive and discriminatory tax bills before the

(58) Ibid.

legislatures in the various States, for the reason that such measures are discriminatory, uneconomic, against the public interest and in many litigated cases the tax laws passed in legislatures have been declared by the courts to be unconstitutional. The unfairness consists in putting up on the chain store interests the expense, first of combating these bills before the legislatures and committees thereof; and second, in conducting expensive litigation before courts in defense of the rights of the chain stores. This expense is a burden on the industry and must, of course, be reflected in the price to the consumer. It has been represented, publicly and privately, that organized interests, State and National, have promoted these attacks before legislatures, and it is believed by the National Chain Stores Association and interests there represented, that there should be unequivocal condemnation of such unfair practice.

To emphasize further its determination to wage a finish fight, the Association adopted the following Code of Ethics:

The prime purpose of this Association and its members and the Chain Grocery Industry, generally, being to promote and assist intelligently in the better handling and distribution of Foodstuffs; and believing the producer and consumer alike are entitled to a declaration of our purposes, the following principles are adopted as the CODE OF ETHICS of this Association:

1. It is the duty of all Chain Store operators to observe fully and carefully the following Code, whether members or non-members of the National Chain Stores Association.

2. Realizing the rapid growth of the Chain Store policy and the displacements caused by its growth throughout the country, the associated members pledge to promote all worthy local civic enterprises and any movements looking toward the betterment of the communities in which they are engaged in business.

3. Our moral obligations to those engaged with us require that we constantly raise the business standards of our vocation through reasonable hours of labor, fair compensation for service, better education of our employees and the assumption by us of the task of increasing their general betterment.

4. We welcome fair competition and condemn the unfair. Unfair competition includes all acts of bad faith and especially such as bribery of employees to obtain the trade secrets of their employers and the enticement of employees from good positions, creating in them a spirit of unrest. We condemn all business oppression.

5. Adopt and rigidly enforce rules and regulations for the government of this Association and its members which will secure the confidence of the people and the Government for our organization and its members.

6. Always bear in mind the following: "That which is not good for the public is not good for our business, and that which in any way injures the public will eventually be detrimental to our organization and its members."

7. As large users of advertising and for the purpose of preserving its power and effectiveness we condemn exaggerated and untruthful statements therein. The promiscuous use of superlatives should be discouraged as bordering on the untruthful. By so doing the public faith will be retained not only in our own business but it will also aid in building up general trust and confidence in all advertising.

8. We condemn price differences made in different markets that have for their obvious purpose destruction of competition and the building of monopoly. Selling at two prices in one locality and taking unreasonable profits in others is an unfair practice. The fair meeting of competition for the purpose of protecting and retaining one's own business is not to be classed as unfair competition.

9. The fostering of friendship, encouragement of thrift, co-operation with producer and protection of consumers' rights must be generally recognized. (59)

Space prohibits a further consideration of this trade organization or any other at this time, although discriminations and unfair trade practices of certain large concerns as relating to specific Federal acts will be discussed further on in this chapter.

The Clayton Act.-- The Clayton Act, passed and approved on October 15, 1914 (38 Stat. L.,730) prohibits, with certain limitations, local price discrimination, tying contracts,

(59) Ibid.

holding companies, and interlocking directorates.

Price discrimination is prohibited where the effect of such discrimination may be substantially to lessen competition or may tend to create a monopoly in any line of commerce. A recent decision, sometimes called the "Can"decision of the United States Supreme Court in the "Van Camp" case is subject to many interpretations and according to Printers' Ink it holds out no salvation to wholesalers and retailers in their battle against the chains. Briefly, the decision is as follows:

The American Can Company sells its cans, among others, to two packing companies. One of these two buyers is given a discount of 20 per cent, together with certain other concessions. The other is not similarly favored. It is charged that this price discrimination was not made because of any difference in: (1) grade, (2) quality, (3) quantity purchased, (4) cost of selling the two buyers, or (5) transporting the cans to the two buyers. The Supreme Court has ruled that price discriminations, when made despite the fact that none of the above differences exist between two buyers, constitute a violation of the Clayton Act.

The reasons for differences in interpretation arise out of the fact that the Supreme Court "apparently" viewed price discrimination in another light in handing down previous decisions in the Mennen case and the National Biscuit Company case. Chain Store Age, in an editorial

in its February issue comments on these cases as follows:

".....In the Mennen case, for instance a co-operative retail buying organization claimed that it was entitled to the same discounts the Mennen Company granted to its jobber customers, and the court held that so long as this particular retail customer could buy on the same basis as every other retailer, it had not just complaint. The fact that jobbers were given better terms than retailers was not a violation of the prevailing law.

"In the National Biscuit Company's case, the court decided specifically that retail buying pools were not entitled as a matter of law, to the same discounts enjoyed by the Biscuit company's chain store customers.

"There is nothing in the Van Camp decision which justifies the inference that the Supreme Court has changed its mind in this connection. In that case, the two customers belonged to identically the same class. They were both packers of canned goods.

"To say that a chain store organization and a jobber fall into the same category and that producers or manufacturers should therefore apply the same price policy to both classes of distributors is to lose sight of practical distinctions that ought to be quite obvious. To point out but one, the fact that the chain controls the outlets and can put behind its selling a driving force that the jobber has no means of developing is in itself a potent reason why manufacturers are so willing to make attractive prices to their chain store customers....."

Printers' Ink is of somewhat the same opinion. (60) They contend that for price discriminations to be a violation of the Clayton Act they must hurt a manufacturer in a similar field, and this seems to be the result in both the Mennen and the National Biscuit cases, but if price polices were harmful to certain customers, that trade condition does not come under the jurisdiction of the Clayton Act. In both of these cases it was held that the Clayton Act was not planned to control the effect of price discrimination among buyers. However, for the first time since the

(60) Scanning the "Can" Decision, Printers' Ink, Feb. 7, 1929, pp.105-112.

enactment of the Clayton Act, it has been held by the United States Supreme Court that this act covers policies which result in evils among buyers, as well as when they result in evils among sellers. But it still remains to be determined whether the Supreme Court would have ruled as it did were the two customers of the American Can Company in different lines of business.

In general, tying contracts which bind the purchaser or lessee of certain products to buy or use certain other products exclusively are prohibited where the effect of such contracts may be to lessen competition or to create a monopoly.

Interlocking directorates where they are competitors and either one of which has capital, surplus, and undivided profits exceeding a million dollars, and holding companies which in effect lessen competition are prohibited.

The remedies provided under this Act are:

1. When the act applies to common carriers, the Interstate Commerce Commission is required to enforce the provisions, when it applies to banks and trust companies, the Federal Reserve Board, and when it applies to other corporations, the Federal Trade Commission.

2. Any person injured in his business or property by reason of anything forbidden in the anti-trust laws may institute suit and recover three-fold damages, together with costs of the suit.

3. The district courts of the United States are invested with jurisdiction to prevent and restrain violations of the Act, and the district attorneys are charged in their respective districts, under the direction of the Attorney General, to institute proceedings to enforce the Act.

4. Any person or concern is entitled to injunctive relief, in any proper court of the United States, against threatened loss or damage by violation of the anti-trust laws, a preliminary injunction being issuable when it appears that irreparable damage is immediate.

The Capper-Kelly Bill.-- At the present time the Hon. Clyde Kelly a member from Pennsylvania in the United States House of Representatives has pending in the Committee on Interstate and Foreign Commerce H. R. 11, known as the Fair Trade Bill. A similar measure has been introduced in the Senate by Senator Capper of Kansas. Here is the first section of that bill:

Be it enacted, etc., That no contract relating to the sale or resale of a commodity which bears (or the label or container of which bears) the trade mark, brand, or name of the producer or owner of such commodity, and which is in fair and open competition with commodities of the same general class produced by others, shall be deemed to be unlawful, as against the public policy of the United States or in restraint of interstate or foreign commerce or in violation of any statute of the United States, by reason of any agreement contained in such contract --

(1) That the vendee will not resell such commodity except at the price stipulated by the vendor; and / or

(2) That the vendee will require any dealer to whom he may resell such commodity to agree that he will not in turn resell except at the price stipulated by such vendor or by such vendee. (61)

The bill if passed, will legalize the making of contracts between manufacturer and wholesaler or retailer, binding the seller to a stipulated resale price. The remaining sections provide that there must be no agreement between producers or between wholesalers or between retailers as to sale or resale prices. In addition, it seeks to permit the retailer to sell merchandise at other than the established price only under the following conditions:

1. In closing out stock for the purpose of discontinuing dealing in such commodity.

2. With prominent notice to the public that such commodity is damaged or deteriorated in quality, if such is the case.

3. By a receiver, trustee or other officer acting under orders of any court (as in bankruptcy proceedings).

After many hearings by both sides before the Interstate and Foreign Commerce Committee of the House, a subcommittee was appointed to further consider the matter and they urged an immediate and favorable action. The following paragraph is taken from their report:

The testimony already taken shows that local dealers suffer destructive competition from these chain stores and other large distributors with great capital, who often offer standard goods of a nationally advertised brand at prices which represent cost, or, in some cases, less than cost. They do this for the purpose of attracting customers, and make up their loss on this standard article by greater profits on staple goods on which there are no standard or advertised prices, so that the customer is not advised as to a fair price. (62)

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(61) Why I Believe in Price Maintenance, by Hon. Clyde Kelly, Printers' Ink, Jan. 31, 1929, pp. 105-113.
(62) Ibid.

This committee contends that since the government has declared unfair competition to be unlawful that it is also the government's duty to declare predatory price cutting on standard goods to be unfair competition in order to grant independent business men the power to protect themselves against it. The independent retailer can not protect himself today, because the Supreme Court in the Dr. Miles Medical Company decision has held that uniform prices on trade-marked articles can not be established by contract. There is no question that a price-maintenance law would curtail price-cutting to a degree, but it is a question whether it would curtail it sufficiently to justify the huge cost of its enforcement. It is the belief in some quarters that the time will never come when legislation will be successfully substituted for intelligent management in the retail business and what the retailers really need more than legislation is organization and education.

However, Texas has a law which provides that:

If any person engaged in the sale of any article, shall with the intent of driving out competition or financially injuring competition, sell at less than the cost of the product, or give away products, said person, resorting to this method of securing monopoly, shall be deemed guilty of conspiracy.

The State of New Jersey has a law against unfair competition which is as follows:

It shall be unlawful for any merchant, firm, or corporation to appropriate for his or their own use a name, brand, trade-mark, reputation, or good will of any maker in whose product said merchant, firm, or corporation deals, or to discriminate against the same by depreciating the value

of such products in the public mind, or by misrepresentation as to value or quality or by price inducement, or by unfair discrimination between buyers, or in any other manner whatsoever, except in cases where said goods do not carry any notice prohibiting such practice, and except in case of a receiver's sale, or a sale by a concern going out of business. (L.,1913,c.210, p.377; as amended, L.,1915,c.376, p.704; L.,1916, c. 107, p.235.)

The Webb-Pomerene Act.-- In April, 1918 the trust policy of the United States was modified by the passage of the Webb-Pomerene Act, which exempts associations engaged solely in the export trade from the operation of the anti-trust acts, (Sherman Anti-trust Act and the Clayton Act) provided such combinations do not restrain trade within the United States nor employ unfair methods of competition with American competitors.

The Federal Food and Drugs Act.-- The Government, through the Department of Agriculture's Food, Drug and Insecticide Administration, has recently announced its intention of taking immediate action under the Food and Drugs Act against all preparation represented by label or by circular accompanying packages as preventives or treatments of influenza, la grippe, pneumonia and related diseases.

Director W. G. Campbell has announced that, "It is a fact generally accepted by medical authorities, based on world-wide medical experience that there is no known drug or combination of drugs which will prevent or cure influenza. Products labeled effective for this purpose will

unhesitatingly be classed as misbranded within the meaning of the Food and Drugs Act and treated accordingly....Unfortunately, the Food and Drugs Act does not reach false advertising statements appearing in the press, or in any advertising medium not included with the package of the preparation itself." (63)

Though the authorities are powerless to check such misleading advertising not accompanying the advertised package itself, the Government might have recourse for further action through the Federal Trade Commission. At the present time, both Cleveland and St. Paul are censoring copy of this nature, through their Departments of Public Health and Welfare. It would be a fine thing if the authorities in other cities would do likewise.

New York Medical Societies.-- According to an editorial in the New York Times, an important bureau for the propagation of medical knowledge by correct and helpful information has been established:

"At 2 East 103d Street two medical institutions have united to establish an office for the dissemination of authenic information on medical matters. They are the New York Academy of Medicine and the Medical Society of the County of New York.

"Fundamentally the object is to put the public in closer touch with the modern miracles worked by science in the prevention and cure of illness. It is a long step away from the old habits of secrecy surrounding the practice of healing. Medicine men, witch doctors and all the ancient magicians who made the sick well cast such a spell of darkness over the art that it has retained to this day a tinge of

(63) Be Careful of "Flu" in Advertising, Printers' Ink, Jan. 24, 1929, pp. 125-128.

sorcery. To dispel the vestiges of secrecy and to develop a direct, intimate channel of communication between the honest physician and the public is the purpose of the new office.

"In one particular the public will be served indirectly, but most usefully. Newspapers receiving information of new medical discoveries are urged to consult the bureau in order to avoid the publication of premature or fraudulent announcements. Despite modern enlightenment, many people are deceived by charlatans. These will be more rapidly tripped up in their quackery by free appeal to the bureau. It may be reached by mail or by telephone, Atwater 4700." (64)

The Post Office Department.-- Dr. Frederic L. Kebler of the United States Department of Agriculture who for twenty-five years has worked with post office officials in an endeavor to force the fake doctors out of business states that after analyzing more than forty "obesity cures," that not a single one is at the same time effective and noninjurious. "Last year a New York 'fat-reducing' outfit, promoting four separate schemes for reducing obesity, pilfered about $500,000 from the easy fat folks, while a Detroit aggregation, on the market for a number of years, was able to separate the public within twelve months' time from about $225,000. The money is taken from the consumer throughout the length and breadth of the United States, Canada and foreign countries." (65)

Much of this fraudulent work is carried on through the mails. Section 215 of the Penal Laws of the United States provides a maximum penalty of imprisonment for five

(64) No Sorcery, by Edward Bernays in Contact.
(65) Uncle Sam Wars Against Fake Fat Reducers, by James N. Miller, Public Ledger.

years and a fine of $1,000 for use of the mails in a scheme to defraud. A further weapon against such schemes is the so-called "Fraud Order," which closes the mails to offenders found guilty of fraud.

The substance of the fraud law is to the effect that the Postmaster General, upon evidence satisfactory to him to the result that any person or company is conducting any scheme or device for obtaining money or property of any kind through the mails by means of false or fraudulent pretenses, representations and promises, may direct that all mails addressed to such person or company be stamped "fraudulent" on the outside and returned to the sender. Under this law it is necessary to show that the mails are being used to defraud and that money or property is obtained through this medium. In other words, any one who is found guilty of defrauding through the use of the mails may have the privilege of receiving mail matter denied him. He is, of course, at liberty to send out any amount of material he pleases, for the Government is forbidden to open a single sealed letter even though they suspect the contents of it, but he is unable to get back a single letter, be it of a personal or of a business nature.

Although the fraud is sometimes consummated through misrepresentations by telegraph or over the telephone or through the medium of a newspaper advertisement, the promoter can be brought within the purview of the statute if

the mails are merely incidentally used. It has been held that mailing by a stock promoter to his bank of funds received from a sale made through verbal misrepresentation, or acknowledgment thereof by his bank, brings the offender within the jurisdiction of the mail fraud statute.

Chapter V.

The Application of the Remedial Measures to the Work of the National and Local Better Business Bureaus

The Work of the Better Business Bureaus.-- The National Better Business Bureau is the parent and coordinating body of a movement maintained by business for its own protection and the public good. Its aim is to create maximum public confidence in advertising by making all advertising trustworthy and to promote honesty and integrity in business through the National Bureau and its affiliated local Better Business Bureaus located in 47 cities in the United States and one in Montreal, Canada.

These bureaus are service stations in the detection, investigation and exposure of financial and mercantile frauds and are located in key cities from coast to coast and from Canada to the Gulf. Local Better Business Bureaus are now established in the following cities:

Akron, Ohio
Baltimore, Maryland
Birmingham, Alabama
Boston, Massachusetts
Buffalo, New York
Canton, Ohio
Chicago, Illinois
Cincinnati, Ohio
Cleveland, Ohio
Columbus, Ohio
Dallas, Texas
Dayton, Ohio
Denver, Colorado
Detroit, Michigan
District of Columbia
Fort Wayne, Indiana
Fresno, California
Hartford, Connecticut
Houston, Texas
Indianapolis, Indiana
Kansas City, Missouri
Lancaster, Pennsylvania
Lima, Ohio
Long Beach, California
Los Angeles, California
Louisville, Kentucky
Milwaukee, Wisconsin
New York, New York
Oakland, California
Peoria, Illinois
Philadelphia, Pennsylvania
Portland, Oregon

Providence, Rhode Island
Rochester, New York
San Diego, California
St. Louis, Missouri
San Francisco, California
San Jose, California
Scranton, Pennsylvania
Seattle, Washington
Spokane, Washington
Stockton, California
Syracuse, New York
Tacoma, Washington
Toledo, Ohio
Tulusa, Oklahoma
Utica, New York

The Better Business Bureau movement has the co-operation of many sources of information, such as security commissioners and other state officials, chambers of commerce, newspapers, banks, brokers and investment dealers.

The National Bureau with its headquarters in New York City operates exclusively in the field of National Advertising while the local bureaus established in many of the principal cities of the country handle only local cases. The National Better Business Bureau is not an endowed institution; it is not organized for profit, for its work is financed by more than 1,000 sustaining members coming from all branches of business located in all parts of the United States. Industrial corporations, financial institutions, mercantile establishments, publishing houses and other commercial activities make up the membership of this organization.

The membership of a local bureau includes newspapers and other publications, retailers, banks, investment

Providence, Rhode Island
Rochester, New York
San Diego, California
St. Louis, Missouri
San Francisco, California
San Jose, California
Scranton, Pennsylvania
Seattle, Washington
Spokane, Washington
Stockton, California
Syracuse, New York
Tacoma, Washington
Toledo, Ohio
Tulsa, Oklahoma
Utica, New York

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The membership of a local bureau includes newspapers and other publications, retailers, banks, investment

bankers, advertising agencies, manufacturers, wholesalers, etc. The financing of these bureaus is done entirely by local interests and any local business house of good standing is eligible to membership. A Board of Directors is elected from representatives of the different lines of business, and they in turn elect an executive committee from among their numbers, which acts as the immediate point of contact between the members as a whole and the operating staff which is composed of a salaried manager-secretary, shoppers and office help. The shoppers who are generally women, shop advertised articles for the Bureau in order to check up on inaccuracies in the advertising of these articles of merchandise. If inaccuracies are found, the merchant is notified of them and asked to cooperate with the Bureau by watching his advertising copy more closely. Occasionally he is asked to print a correction in minimum space specified by the Bureau. If there is a refusal to cooperate or if inaccuracies are continued, the Bureau proceeds by giving publicity to the offender and his practices, or by court action.

The National Bureau whose work is becoming corrective rather than convictive conducts its activities through four main channels: (66)

First: Financial, which seeks to maintain public confidence in legitmate business through the medium of investigation of business irregularities and action against

(66) Material drawn from the National Better Business Bureau pamphlet, "Legitimate Business Pays the Swindler"

alleged frauds, including the analysis and preparation of material for prosecution to aid punitive action taken by the proper public authority.

Second: Merchandise, which works out, for and with industry, principles of business practice, adjusts violations of these principles or other sound advertising and selling procedure and eliminates friction in the flow of commerce from raw material to consumer, particularly that which results from inaccuracy, misrepresentation, or other forms of unfair competition.

Third: Publicity, which coordinates the articulation of the Bureau's impressive power of public opinion, through every possible channel.

Fourth: Service, which works with industry in bringing personally to stockholders, patrons and employees the results of the practical work performed by the Bureau.

Under the first heading, financial, the Better Business Bureaus as agencies of legitimate business, have endeavored to protect the investing public by a process of education and publicity designed to enable the individual approached by a "tipster" operator to readily identify him. Barred by press censorship from use of newspaper advertising as an avenue to reach the great money market of investors and stockholders with get-rich-quick securities; and refused the official sanction of securities commissions to do business in a number of states, the promoters of such

wares have developed an astonishingly effective means of their own to reach the public by their purported market advisory service, or "tipster sheet."

The "tipster" operators are schooled by experience in the psychology of separating the uninformed investor and incautious speculator from his money. The system used is a combination of methods: an "advisory" service through the columns of the tipster publication, which always includes advice to buy stocks the tipster himself wants to sell; an artificial price level maintained through irresponsible dealers in an over-the-counter market or by trading on a distant, irresponsible exchange; and telephone calls to credulous folk in all parts of the country by velvet-voice swindlers who lie convincingly.

"Tipster sheets" are bogus stock market advisory services which, in the guise of impartial advisers, mix general market observations with specific recommendations of stocks in which they are interested. Some act as brokers or dealers in such stocks, while others refer orders for execution to their confederates.

Walter J. Fallows, Chairman of the Securities Commission of the State of Pennsylvania listed eighty-eight sheets in his 1928 annual report which states in part: "The method of selling 'blue sky' to the public has, to a large extent, been changed to the operation of the so-called 'tipster sheets.' During the last year or two, in

nearly all cases where citizens of Pennsylvania have been defrauded, it has been accomplished through the use of these sheets. 'Tipster sheets' are mailed from outside of the State to citizens of Pennsylvania, in most cases either from New York City, Boston, or some city located in the State of New Jersey. These sheets highly recommended some one particular issue that they desire to sell the unwary investor. In order to hide their real purpose, they include information about several other well known securities. The tips given in these sheets are followed up over the telephone and by telegraph from outside the State. Of course, these solicitations could not be legally made in person within the State. Such an attempt would be speedily detected and the parties prosecuted."

Among the "tipster sheets" listed by Mr. Fallows are the following: Wall Street Iconoclast, Pratt's Stock Trends, Wolf's Market Forecast, Wright's Market Forecast, National Business Review, The Financialistic Debater, The Wall Street Indicator, The Financial Criterion, Daily Market Service, Stock Market Reports, Market Financial Service, Stock Market Forecaster, Market Forecaster, The Market Reflector and the Trend of the Market. With such an imposing array of titles to select from, it is little wonder that thousands of would-be investors have been swindled in this state alone.

The National Bureau is a specialized fact-gathering machine and assumes responsibility for its

public statements. Its function is unique, in representing the dual viewpoint of producer and consumer, the Bureau is in position to accomplish mutually desirable ends, without being paternalistic to the consumer or dictatorial to the producer. It has the mechanism which will help any industry reform its advertising practices. Some of the more common advertising practices needing reform and constantly seeking an outlet in almost every phase of modern business, are misleading advertisements or misrepresented merchandise which include such devices as the "free lot" bait, junk dry goods and clothing sales, suit clubs and similar lotteries, farm promotions, home work schemes, fake auctions and furniture sales, puzzle contests and medicine frauds. "Easy money" or "something for nothing" is the basis for most of these advertising appeals. Among the industries which have come under the consideration of the National Bureau are furs, radio, insulation, blankets, infants' wear, correspondence schools and hosiery.

Besides the work of checking misrepresentations in advertising, local Bureaus conduct an organized shopping service. Articles questionably advertised are purchased outright by professional shoppers and confidential reports are rendered to the store in question covering the following points: (67)

1. Do the salesperson's representations correspond

(67) The following material drawn from pamphlet on Inaccuracies in Advertising, by Horace J. Donnelly, Financial Manager of Philadelphia Better Business Bureau.

to the advertisement?

2. Does the merchandise measure up to the advertisement?

3. Was the salesperson familar with the advertising and the merchandise?

4. Was the approach of the salesperson listless or indifferent? Was proper attention shown throughout the progress of the transaction?

5. What was the personal appearance of the salesperson? How would you grade the courtesy of the salesperson?

By considering the above information, the store executive gets a constructive and unbiased service, giving him valuable information on personal selling from the buyer view point.

Some of the more important objectionable phases of merchandising which the movement hopes to eradicate are as follows: (68)

1. Misbranding of textiles, furniture and other commodities and the use of misleading names and terms.

2. Substitution of an inferior article and trade mark infringements.

3. Misuse of the word "free."

4. Misuse and abuse of comparative prices and values.

5. Misleading and deceptive sales. (Sales should involve a saving to the consumer and should not be used solely to unjustly enrich the advertiser.)

6. The use of "bait" copy (when a merchant refuses to sell an article advertised).

7. Prize award schemes when involving price, consideration and chance, suit clubs, coupon schemes, cross word puzzles and others of this type may become lotteries.

(68) Ibid. p.6.

8. The advertising of seconds or "run of the mill" merchandise as first class goods. "Seconds" should always be qualified in advertising.

9. The use of Geographical designations when not based on fact. "English Broadcloth" and "Paris Hats" manufactured in the United States are examples.

10. The partial payment plan as sometimes misleadingly advertised.

In addition, there are other objectionable advertising practices that are not confined to retail advertising but appear in advertising of a general nature: (69)

1. The use of superlatives and exaggerations.

2. The use of "knocking" copy and "mud slinging" in advertising.

3. Plagiarizations and infringements and deliberate filching of another's advertising property.

4. Use of fictitious testimonials.

5. Use of misleading and doctored illustrations and cuts.

6. Use of unconditional guarantees unless strictly lived up to.

7. The use of the Help Wanted Columns for the purpose of selling something or obtaining "suckers." "Mailing Circulars," Horoscopes, Work at Home and Song Poem schemes are examples.

8. The use of classified advertising by an established dealer without the appearance of the word "dealer."

9. The advertising of medical quacks and nostrums such as tuberculosis and cancer cures.

10. The operation of endless chain merchandising schemes.

The National Better Business Bureau has announced certain standards for the advertising and selling of furniture, radios, pianos and kindred and related lines. These

(69) Ibid. pp.6,7.

recommendations or standards which have been adopted by many of the individual bureaus are based upon a very careful survey of advertising of the commodities mentioned. They have further announced that the adoption of these recommendations in spirit as well as in letter is necessary for the promotion of public confidence in advertising, and that applies to all forms of advertising.

Specific Abuses of Advertising and their Correction.-- The abuses may be grouped under one or more of the following headings: (70)

1. Seconds	4. Description	7. Not on Sales
2. Statements	5. Trade Names	8. Sizes and Colors
3. Materials	6. Trade-Mark Names	9. Comparative Prices

The following is a brief review of advertising irregularities classified under the above headings:

1. Seconds, Irregular, Imperfect.-- The Bureau recommends that any merchandise below standard which is rejected by the manufacturers because it falls below their qualifications for first class merchandise should be advertised by one of the above terms. There can, of course, be no objection to using a qualifying description of the merchandise which classifies it as seconds, such as "Seconds - imperfections do not interfere with wearing qualities," "performance," "operation," etc. when such description agrees with the facts and is subordinate to the descriptive terms used.

Second-hand merchandise should be advertised as "second-hand."

(70) For the following material in this section, the author has drawn heavily upon mimeographed material issued by the National Better Business Bureau and entitled, Recommendations - Standards for Advertising and Selling Furniture, Radio, Pianos, and Kindred and Related Lines.

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Specific Abuses of Advertising and their Correction.--

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1. Records
2. Statements
3. Materials
4. Description
5. Trade Names
6. Trade-Mark Uses
7. Not on Sales
8. Sizes and Colors
9. Comparative Prices

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The public considers samples to be favorable representations of first quality merchandise, and may or may not be soiled from handling. If they are soiled they should be so described. "Samples" should not include seconds, irregulars, discontinued numbers, special close-outs, etc.

2. Unqualified Statements.-- The use of unqualified statements such as "The Greatest Sale in America," "Best Bargains Ever Shown in Lancaster," "Lowest Price Ever Quoted," "Unmatchable Values," and other similar expressions should be avoided. Superlatives are dangerous at any time and have been responsible for considerable disbelief on the part of the reading public in retail advertising, as they are difficult if not impossible to prove even by the advertiser. "Never Before" is a meaningless phrase of no advertising value, difficult to prove, and should not be used.

(a) Cost, Below Cost, Below Wholesale Price, Etc. -- These expressions should be avoided as the public is likely to regard such statements with suspicion. Such phrases should not be used unless truthful and applied to present market prices.

(b) Claims as to Credit Charges.-- The Federal Trade Commission has ruled that the expression "No extra charge for credit," etc., is incorrect when it is the practice to mark up prices to cover credit business, if a discount is given for cash. Such an expression should not be used if an interest charge is made.

(c) Free.-- Advertisers at times misuse the word

"free". One article is advertised as "free" if another article is purchased. The article offered is therefore not "free" but contingent upon the purchase of another article. Webster defines "free" as follows: "Exempt from obligation, given or furnished without cost or payment, without charge." If a customer is to secure an article "free" it must in truth be offered without cost or payment. It is suggested that the words "given", "given away with", or "included" be used in place of free. For example: "This hat given with a $10 suit."

(d) From Factory to You, and Direct from Maker.-- These expressions are sometimes used by concerns who include merchandise other than that made by themselves and from an ethical point of view they should be eliminated from all copy.

(e) Sales.-- The Bureau believes that the public construes the meaning of "Sales" to be an offering of merchandise at a price concession. "Special purchase" should not be used unless merchandise has been bought at less than the usual price.

(f) Guarantees.-- All guarantees should be specific, definite and clear, and any time limit on guarantees should be mentioned. All refund offers and sales appeals should be free from the ambiguities that create dissatisfaction and distrust of advertising.

(g) Low Rent Claims, etc.-- One very often reads the claim that low rent, low overhead expense, or being out of

the high rent district, no advertising expense, small sales force, etc., mean low prices, but such statements are fallacies. In considering the effect of rent and over-head on prices one must consider the relation between rent or over-head and volume of sales. A store having low rent and low volume of sales may have to charge more than a store with high rent but huge volume.

(h) Two for One Sales.-- Value claims of "Two for One," "Two for the Price of One" have been found incorrect. For example, dresses advertised as "Two for the price of one" or "Two for $15" have not been $15 dresses and could have been purchased separately at nearly half the advertised combination price. Some advertisers have used original or early season prices as the basis for these expressions without showing this fact in their advertising. It is recommended that such expression refer only to current, prevailing prices for the merchandise so advertised, and not to original or early season prices unless expressly stated in the advertising.

(i) Radio Prices.-- Prices on radio sets should state whether they are for the set complete, or with or without equipment, or with or without tubes, etc.

(j) Radio Claims of Efficiency and Performance.-- Claims as to the efficiency and performance of radio sets are dangerous, as efficiency and performance depend upon set-up, operation, location, quality of accessories, and local atmospheric and physical conditions. Such claims,

if used at all, should be based on average performance rather than on rare, exceptional feats under unusually favorable conditions, and exceptional performance should not be advertised as the average or common performance.

3. Name "all" the Materials.-- The Bureau advocates the use of correct names for material contents. Wool means all wool. Silk means all silk. Rayon means all rayon. If more than one material is used all must be mentioned -- e.g., "Wool and cotton and silk" -- "Wool, cotton and rayon." Such expressions as "part wool" is incorrect. (This is a fundamental principle which may be applied to all lines of merchandise.)

4. Description: Name the Woods.-- Through the action of the Federal Trade Commission approving rules for the description of furniture, based upon the fundamental principle of "Name the Woods", manufacturers, wholesalers, and retailers are called upon to adopt these rules and make them effective in the conduct of their own business. The substance of the rules and interpretations is that when any woods are named, all the principal woods exposed to view shall be named.

Rule 1. Furniture in which exposed surfaces are of one wood shall be designated by the name of that wood.

Rule 11. Furniture in which the exposed surfaces are of more than one kind of wood shall be designated by the names of the principal woods used.

The Federal Trade Commission has given several

additional interpretations of the rules including proper methods of describing certain types of furniture or parts thereof. Using "Walnut" for purpose of illustration:

A. "Solid walnut top" means a top constructed of walnut throughout and not veneered.

B. "Walnut Top" means a "Solid walnut top" or a top constructed of walnut veneer on walnut. This latter type of construction may also be described as "Top of Walnut Veneer on Walnut."

C. "Walnut Veneered Top" means a top constructed of Walnut veneer on a different wood.

Woven Furniture.-- The following recommendations for the description of woven furniture have been endorsed by the woven furniture industry and approved by the Federal Trade Commission.

RULES FOR DESCRIPTION

I. Furniture and baby carriages in which the woven surfaces are of one material shall be designated by the name of the material used, such as "reed", "fibre", "Willow", "rattan", "sea grass", "cane", etc.

II. Furniture and baby carriages in which the woven surfaces are of more than one material shall be designated by the names of the principal materials used, such as "reed and fibre", "reed and cane", "fibre and cane", etc.

III. When a substantial amount of wood appears on the surface of so-called woven furniture it shall be so stated. If such is described it shall be described in accordance

with rules for the designation of furniture woods.

In reference to the above, designations made in the caption or body of each particular description should be without qualifications elsewhere. And further, inasmuch as the term "wicker" originally designated willow, but through practice has built confusion in the minds of the public, it should be abandoned.

Rugs.-- The following rug definitions have been approved by a majority of American rug and carpet manufacturers in cooperation with the National Better Business Bureau. Considerable confusion has been caused by the incorrect use of a few rug terms. For example, a Wilton is a Wilton; a Velvet is a Velvet. Most of the so-called Wilton-Velvets on the market today are simply Velvets while others are specific products and should have distinctive names of their own.

RUG DEFINITIONS

Wilton A Wilton is a wool or worsted cut-pile fabric containing from two to six colors, woven on a Wilton loom. The loom is equipped with a Jacquard attachment and achieves the pattern by means of punched stencils which control the selection of colors drawn over a wire, one color at a time, from frames of individual spools of skein-dyed yarn, the threads not selected by the Jacquard to make the patterns will always be found buried throughout the center of the fabric.

Brussels A Brussels has the same characteristics and is made by the same methods of manufacturer as a Wilton. It is woven on a loom having a Jacquard attachment, the colors being picked up, one at a time, the balance remaining "dead" in the center of the fabric. The loops forming the pile, however, are uncut, which is the only difference between a Wilton and a Brussels.

Axminster An Axminster is a wool pile fabric, having any number of colors in combination with a cotton, a jute, or linen, backing. The dyed yarns for each row of tufts are wound around spools which are as wide as the fabric to be woven; the spools then being arranged in sequence on an overhead vertical-rotating chain. As each spool is revolved into place, the ends of its colored threads are inserted under and around the warp, formed into a V-shaped row, and held in place by a shot of filler.

Velvet A Velvet is a cut wool or worsted pile fabric woven on a velvet loom and having all of the yarn on the surface. It may be made of solid colors or may have a design formed by printing the colors on yarn wound around a circular drum, the dyed strands being woven over wires, the loops being cut after weaving; or the design may be stamped on the woven fabric.

Tapestry A Tapestry has the same characteristics and is made by the same method as a Velvet, and like it has all of the yarn on the surface. The design or solid color is drum printed on the yarn or stamped on the woven rug. The difference between the Velvet and the Tapestry is that in the latter the loops forming the pile are uncut.

Upholstered Furniture.-- All principal fabrics on exposed surfaces of upholstered furniture should be named. For example, a davenport with fronts covered with mohair, and back and sides with velour, should be described as, "Upholstered in mohair with backs and sides of velour," or if preferred, "Combination mohair and velour." Such qualification as "Outside backs and arms in velour" should be given prominence. The Bureau suggests that the term "velour" be given as much prominence as the term "mohair" in describing any such set.

Illustrations.-- Illustrations should always represent exactly the object advertised and should not convey any false or misleading impression of its size, quality, or

general appearance. When a cut is used which does not correspond to the merchandise on sale, this fact should be stated by the use of some phrase as "style cut", "service cut", "not similar to merchandise on sale", or some other similar phrase.

5. Deceptive Trade Names.-- Any trade name or trade mark name that indicates or suggests a material content other than that contained in the material described; or a metal, or substance of any kind not contained in the article described, should be properly qualified to avoid deception, e.g., "Linene" (suggestive of linen) should be qualified as cotton; "Mahoganized" (suggestive of mahogany) should be qualified as a stain or finish in accordance with the rules for furniture description, --"Mahogany-stained birch."

6. Trade Mark Names.-- Trade mark names should not be applied to any item other than the product of the concern owning the trade mark. If a trade mark name is misleading it should not be used unless qualified to remove deception.

Concerns which register the names or numbers of their products at the United States Patent Office publicly announce their ownership of such names and have the right of exclusive use and an action against an improper or unauthorized use by others.

A simulation of registered trade marks which

confuse the public is unfair to the public and to the owner of the trade mark.

The Better Business Bureau recommends that advertisers be extremely careful to avoid an improper use of the registered trade mark and refrain from passing on to the public any terms which might confuse the public because of their similarity to registered trade marks.

7. Not on Sale: Bait Advertising.-- All forms of "bait" advertising are condemned by the Bureau. "Bait" advertising which is a practice of advertising merchandise the advertiser does not intend to sell is detrimental to the good name of advertising.

(a) Quantities.-- Advertising should be backed-up by a reasonably sufficient supply of the merchandise advertised to meet public demand created by advertising. When only a limited quantity of the merchandise advertised is obtainable it is suggested that such fact be mentioned or the number or quantity be indicated. All advertising should be checked to make sure that merchandise advertised will be available and that all salespeople are acquainted with it when the public responds.

8. Broken Ranges in Sizes and Colors.-- Advertisements of broken ranges and colors may be very misleading. In all fairness to the public, and to promote confidence in advertising and thus make it more effective, the Bureau believes

that when broken sizes are advertised the sizes on sale should be indicated.

Such expressions as "sizes up to 44" are misleading unless there are a goodly number of each size on hand. If possible, in advertising broken lots and broken size ranges, it is best to eliminate all deception or disappointment of the public by indicating the sizes, numbers and colors, if important, on sale.

In advertising mattresses it is recommended that the size of the mattress be mentioned; e.g., double bed size, cot size, single bed size, etc.

9. Comparative Prices.--

A. Mark Downs.-- When any previous price is used on marked-down merchandise the last previous price at which the merchandise was marked must be used. If the merchandise has been marked down more than once the extra mark-down prices if desired may be included, but the last price at which the merchandise was marked should always be used, e.g., "Originally $25, formerly $20, now $15."

(a) "Former price" or "Formerly" should refer to the last price in effect immediately before the sale.

(b) "Originally" and "Original price" should mean the first price at which the merchandise was marked in the advertiser's store during the current season.

B. Temporary Reduction.-- "Our regular price," or "regularly," should refer to the price at which the merchandise

sells regularly in the advertiser's store previous to the sale, and the price to which the merchandise reverts following the sale. It is the opinion of the Bureau that public confidence in advertising will increase if advertisers clearly show that the use of comparative prices is confined in their own store, e.g., "Our regular price."

C. Special Purchases.-- Merchandise purchased at a special price concession and offered to the public at a price concession should be described as "Special Price" or "Special Purchase at Price Concession." If a price comparison is used the term "Usually" or "Usual grade" should be used to describe the comparative price, e.g., "Usually $5.00, now $4.50."

D. Value and Other Terms.-- Value is determined by today's buying power of a dollar and should not be confused with any previous price quotations. When used in advertising, which is usually prepared in advance of the sale and without complete knowledge of what similar merchandise will be offered on the date of sale, it is at the best, a prediction. From practical experience, the Bureau finds that this term is so greatly abused that it recommends its elimination. This ruling would also apply to similar terms -- for instance, "worth".

Other terms which are so frequently abused that they recommend their elimination are: "Made to sell for," "Usual value," "Selling elsewhere," "Price in other stores," "Selling in New York," "Instead of --, should be --," "Savings

of one-half to one-third," "Savings of $5 to $15," etc.

E. List Prices.-- The term "list price" has been used in such a way as to confuse and mislead the public. Very often the "list price" has no relation to the retail price, and is either an intentionally fictitious price or a figure used only for the purpose of having a base price from which to figure discounts. When this term is passed on to the public it is the opinion of the Bureau that the public interprets it to mean a regular or former retail price, and therefore, they recommend the term should not be used in retail advertising contrary to this meaning.

When a discontinued model is advertised at a reduced price it should not be represented as still possessing its regular list price in a way that leads the public to believe that a much better current value is being offered than is actually the case.

Dr. Hess summarizes the definite forms of service as rendered by the Bureau as follows: (71)

1. The Better Business Bureau protects the buying public against deception and possible fraud in advertising and merchandising by investigating and correcting wrong practices.

2. Persuades individual firms to discontinue unfair tactics that work to the disadvantage of competitors.

3. Removes unjustified suspicion and misunderstanding between competitors by getting the facts regarding

(71) Op. cit. Hess

suspected advertising and merchandising practices and reporting upon their real character.

4. Reduces the burden of unjustified public suspicion which may, through misunderstanding, rest upon the advertising or merchandising of any institution.

5. Seeks to create maximum public confidence in every recognized form of advertising -- out-of-doors as well as newspaper, magazine, direct mail, etc. -- by making all advertising trustworthy.

6. Increases public confidence in all advertising and merchandising by cooperating with the advertiser to represent correctly his goods and the conditions under which they are sold.

7. Helps an advertiser make his printed announcements more believable and productive. In many cases it turns an unscrupulous advertiser into a fair-dealing advertiser.

8. Protects public confidence in the business community as a reliable trade center so that buyers in the surrounding territory may feel that they will get value-received in a Bureau City.

9. Informs stores which are members of the Bureau concerning misleading statements made by employes with respect to goods advertised, as well as the unfamiliarity of employes with merchandise advertised by their respective departments.

10. Cooperates with an honest business institution to help it remove confidence-destroying spots in its own advertising and merchandising.

11. Curbs certain types of fraud such as "home work" schemes and "gyp" sales, advertising both locally and nationally in the classified columns of newspapers and magazines and by direct mail.

12. Promotes state and municipal legislation for the better protection of legitimate business and the public from abuses of advertising. But only flagrant misuses of advertising are prosecuted, and then only as a last resort.

13. Secures adjustments for customers dissatisfied by reason of unfortunate experiences with advertised goods or service, at the same time taking advantage of the opportunity to educate the advertiser in error to better methods and to impress on the individual customer the integrity of most business.

14. Takes the necessary steps to protect investment bankers from the unfair competition of fraudulent stock promotions, conserving money in legitimate business channels in the interest of banks and business generally, and maintaining the confidence of the public in the advertising of worthy investment securities.

The growth of the Better Business Bureau movement is interesting in that it indicates the awakening of business to the possibilities of the practical application of an ideal.

In the beginning when elevating the standards of advertising was first undertaken by the volunteer committee the slogan "Truth in Advertising" seemed to be a far cry from a state of business which might actually be brought into existence. But that "Truth in Advertising" was no empty dream is amply exemplified by the Better Business Bureau organization as it exists today. At the Bureau's annual convention held in Chicago in September, 1928, H. J. Kenner, manager of the New York Bureau said in speaking of the future of the Bureau work, "We lengthened our reach I think when we began to serve legitimate business by substituting the term Accuracy for the words Honesty or Truth. Now we talk of Fair Play, when we refer to the problems of competition and consumer protection...." (72)

(72) Now for an Even Better Battle Against Unfair Business, Printers' Ink, Sept. 27, 1928, pp.155-162.

Chapter VI.

Summary and General Conclusions

Inception and Scope of Study.-- The general subject of accuracy in advertising can hardly be called new. The International Advertising Association has carried "Truth in Advertising" at its masthead for the past 20 years. Various shades of truth, honest, candor and sincerity have been demanded of advertising by practitioners and by critics ever since advertising began. Notwithstanding its antiquity, the problem today assumes the proportions of a real dilemma.

On the one hand is the temptation toward high-pressure selling to force quick results and on the other, the goal of the idealist -- sane conservatism -- advertising that announces with convincing restraint, the merits of honest products. It has often been said that 95 per cent of the business world is honest. This may be true, but it does not mean that this 95 per cent should be deprived of protection from competitive misrepresentation and fraud. Sincere, responsible statements, building for the long future as well as the all-too-short present are scorned by the shrewd advertiser who adopts unscrupulous methods, often-times barely within the law, in his attempt to make a clean-up and escape before the lighting strikes. Fortunately for the buying public this type of individual is not as prevalent as formerly. But he has a brother

whose sinister work is even more far-reaching. Exaggeration or super-advertising is on the verge of destroying the buying publics' believability in advertising because of its present abuses. Exaggeration may have shades and degrees. That which is not absolutely false may be partly true. Stephen Leacock once said: "A half truth is better than a whole truth for exactly the same reason that a half brick is better than a whole one -- it carries farther." The optimistic enthusiastic contends that most exaggeration is free from any conscious intent to deceive -- on the contrary, it aims to convince. Voluntary deception or unvoluntary deception, for the good of the profession it should be stamped out.

Advertising from an ethical point of view, is confronted with the problems of insincerity of copy and fraudulent copy. The former while not so difficult to cope with as the latter, nevertheless demands the fullest attention of all who want to keep advertising a clean and profitable selling tool.

The study, "Accuracy in Advertising," was undertaken partly for the purpose of getting information relative to the quality of advertising copy in the Lancaster newspapers compared with that of the Philadelphia newspapers, and partly for the purpose of getting a better understanding of what constitutes unsatisfactory advertising and unfair trade practices in general, and partly for the purpose

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ing of what constitutes unsatisfactory advertising and un-
fair trade practices in general, and partly for the purpose

of shedding light on the various remedial measures to which the buying public has access.

In the first part of this thesis, the author has dealt with the field investigation and laboratory work that he conducted to determine the relative truth or falsity of display advertising carried by the newspapers of Lancaster and Philadelphia, Pennsylvania.

In a study of this nature it was first necessary to establish some standard or basis for comparison. For the purpose of this investigation, the author classifies copy as Objectionable, Border line or Satisfactory. Copy expressing untruths, decided inaccuracies, and statements and conditions incapable of fulfillment is considered to be Objectionable. Copy believed to be untruthful, but the truth of which would involve controversy is considered Border line. All other copy is considered Satisfactory.

The combined opinion of all four groups of judges participating in this investigation shows that the advertising copy in the Philadelphia newspapers is only 90.1 per cent satisfactory as compared with the advertising copy in the Lancaster newspapers which is considered to be 91.0 per cent satisfactory. From a comparative point of view, this difference of only .9 per cent in the favor of Lancaster advertising is insignificant, but from a study stand point, the similarity of percentages is striking in that the results did not work

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out the way the author expected. It had been generally conceded in Lancaster that the advertising copy from the truth angle was decidedly inferior to that run in the Philadelphia newspapers. To further contradict this belief, this study shows that in the combined opinions of the judges they found only 3.0 per cent of Lancaster advertising objectionable, while almost 5.0 per cent of the Philadelphia advertising was of that nature. However, Lancaster newspapers run a somewhat larger percentage of border line copy than do the Philadelphia newspapers, as is shown by the combined averages of the judges which is 6.0 per cent and 5.2 per cent respectively. Some might contend that 10 per cent unsatisfactory advertising is rather a good showing for the two cities under consideration, but it is the author's belief that the amount is too large in this age of enlightenment.

Among those most given to exaggeration and untruthful advertising might be mentioned the merchants dispensing the following merchandise classifications: automobiles and automotive equipment; men's clothing; furniture; furs; financial services; toilet goods, drug sundries and patent medicines; jewelry; tobacco and cigarettes; and radio. In fact, there wasn't a class of commodities whose advertising appeal could not be cleaned up somewhat in the estimation of one or more of the Judges.

Part II deals with the various forms of unsatisfactory advertising. Advertising and trade practices may

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Part II deals with the various forms of unsatisfactory advertising. Advertising and trade practices may

be considered objectionable because they fall under one or more of the following classifications: superlatives; exaggerated statements; testimonials; comparative prices; misbranding of merchandise; bait copy; fake sales; disparaging copy; misuse of the word free; meaningless guarantees; and general misrepresentation.

Typical superlative claims that we encounter even in our best mediums are, tremendous, sensational, phenomenal, record-breaking, huge, unchallenged, astounding, most marvelous, best, finest, greatest, cheapest, etc.

Exaggerated statements blatantly announce, "I'll save you one-third on your coal bill," "The best value under $100," and "I'll put dollars in your pocket by reducing waste in your office."

The craze for testimonial endorsement has grown in a few short years to a point where people in all walks of life are endorsing the products of every imaginable nature. No longer are the endorsers confined to any one profession or the product featured restricted to luxury or non-essential classification -- princes and paupers vie with one another in extolling the merits of cosmetics and cans, until it seems that one must lend one's self to this form of expression in order to be considered worthwhile.

From an economic point of view, "value" and "worth" have been disregarded and comparative prices abound

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From an economic point of view, "value" and "worth" have been disregarded and comparative prices abound

with such statements as, "Regular price $5, our price, $2.50," "Formerly $3, now $1.98," "Savings of one-third to one-half," and "Thirty per cent reductions."

Examples of misbranding of merchandise are, wool and cotton blankets called "all" wool, silk and rayon hosiery called "silk" hosiery, and walnut veneered tables called "walnut" tables.

"Bait" copy offers a "leader" at an attractive price, something free, two articles for the apparent price of one, or tricky "free" trials.

We wonder how much faith the buying public has in such meaningless guarantees as, "warranted satisfactory," "fully guaranteed," and "guaranteed to be satisfactory," etc. Satisfactory to whom -- the advertiser or the buyer? We also wonder how many of the buying public take the trouble to test out these guarantees and demand their "money back if not entirely satisfied" and how many find out that the refund is dependent upon certain "ifs" and "ands" governing alleged misuse of the article purchased.

Part III deals with the various remedial measures designed for the correction of the advertising abuses summarized above. It has been found expedient in most modern states to impose some legal restraints upon the freedom of individuals who are given to advertising misrepresentation and unfair trade practices. These restraints when they are applied, and the remedial measures, when

enforced -- which unfortunately, is not often enough -- are making a valiant effort to protect the public and to restore peace and tranquility in the field of marketing.

An important force possessing power to initiate reform are the advertising agencies, which on the one hand, through their American Association have frequently expressed themselves in favor of truthful advertising, and on the other hand, have been more or less persistent in their practice of writing copy for many of their largest accounts, as well as the small ones, which seeths with exaggeration.

Mediums, and particulary newspapers, are in a position to promote advertising accuracy if they desire. Unfortunately not all members of the publishing fraternity have made serious efforts to eliminate untruthful advertising. There seems to be a difference of opinion among the publishers themselves as to their responsibility in this matter.

The Printers' Ink Model Statute adopted by twenty-three States is one means of stopping the dishonest advertiser by legislative action. Sixteen other states have toothless substitutes for the Model Statute -- toothless because they contain a loophole for the dishonest advertiser in the insertion of nulifying words such as "knowingly" or "with fraudulent intent." A definite course

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Among the important powers of the Federal Trade Commission is its authority to prohibit unfair methods of competition in national trade and to prohibit restrictive or monopolistic discrimination in prices between different purchasers in national trade. In determining whether any sales policy is in violation of the unfair competition clause of the Act of 1914 we must ask: Is it marked by deception or bad faith or fraud? Is it oppresive to the competition or to the public? Is it generally regarded as against public policy because it tends unduly to hinder competition or to create a monopoly? The Commission's interpretation of "unfair methods of competition" has a special bearing on the branding, advertising, and representations as to the nature of the goods and the quality.

Closely related to the problem of unfair methods of competition is that of price maintenance and price discrimination. Can a national producer sell to any persons whom he pleases and at any price that he pleases? The difference between agents and independent dealers in the retail trade should be observed. Any manufacturer may select another person as his agent and he may fix the price of resale at any figure he may please. However, if he sells his goods outright to an independent dealer he is not allowed the privilege of price discrimination for fear

that he may lessen competition and create a monopoly as prohibited by Section 2 of the Clayton Act. Though not strictly an advertising inaccuracy, unfair competition, price maintenance and discrimination, are forms of sales policies detrimental to the best interests of the public and subject to the same governmental regulation.

In the interest of the public the Commission renders valuable aid in formulating trade standards through its national trade practice conferences and its efforts to enforce these standards once they have been established. It offers a tribunal to the samll as well as the large producer and distributor to press his cause at a hearing without inordinate expense and delay. Most of the matters taken up by the Commission are settled satisfactorily without appeal to the courts, and most of the applications are adjusted without even formal docketing.

The Capper-Kelly or Fair Trade Bill as it is sometimes called, if passed will legalize the making of contracts between manufacturer and wholesaler or retailer, binding the seller to a stipulated resale price with the consequent result that predatory price cutting on standard goods and its inevitable advertising evils will be considered unfair competition.

Trade organizations which work through "codes of ethics" voluntarily set up by their own groups have a wholesome effect on the advertising practices of their Association.

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The Federal Food and Drugs Act though unfortunately not applicable to false advertising statements appearing in the press does prohibit the misbranding and labeling of packaged merchandise.

Section 215 of the Penal Laws of the United States provides a maximum penalty of imprisonment for five years and a fine of $1,000 for use of the mails in a scheme to defraud. A further weapon against fraudulently advertised schemes is the so-called "Fraud Order," which closes the mails to offenders found guilty of fraud. Even though the fraud may have been committed through the medium of some other kind of advertising, punishment may be inflicted if the mails are used merely incidentally.

In the author's opinion, probably one of the most important, if not the most important agency for the correction of advertising and merchandising abuses, is the National Better Business Bureau movement and its 47 affiliated local Bureaus located in key cities throughout the United States. Over 700 business men of the country are serving on these local boards as directors. The quick interchange of facts and information concerning fraudulent advertisers and other imposters is rapidly making it impossible for such concerns to operate in Bureau cities. This movement which was started over fifteen years ago is directly traceable to the willingness on the part of business executives to accept the Better Business Bureaus as the proper agents

in the adjustment of advertising and selling transgressions.

The work of the National Bureau while corrective rather than convictive is carried on through four main channels: financial, merchandise, publicity and service. Particulary in the financial field its advice, "Investigate before you Invest" typifies what it has to contend with in the way of "tipster sheet" operators, bogus investment concerns and "blue sky" operators.

In the merchandise field it has campaigned against the practice of selling seconds and imperfect merchandise for new; and the use of unqualified statements, such as, "at cost," "below cost," "free," "from factory direct to consumer," fake sales and guarantees, low rental claims, two-for-one sales, inaccurate radio prices and radio claims of efficiency and performance.

In its "name all the materials" campaign it has sought to impress on the public that wool should mean all wool and not part cotton, silk should mean all silk and not part rayon, etc. It has fought the furniture industry in its "name the woods" campaign and urged a more exact practice of describing materials; e.g., furniture of more than one kind of wood should be designated by the names of the principal woods used and not be described as being of solid construction throughout, when two or more inferior woods are used in its construction. The use of deceptive trade names

and trade mark names, bait advertising, misleading statements in reference to the "complete" line of sizes and colors for sale, and the flagrant misuse of comparative prices have come under the ban of this advertising- and merchandising-purging organization. It will readily be seen that the Bureau movement has carried its work into many lines of activity.

The author's interest in the subject of accuracy and sincerity in advertising is identical with his interest in sound business policies. Sincerity in advertising and business are inseparable. A realization that sincerity which invites belief, which reflect integrity, and which in turn justifies confidence, has sprung from that hoary dogmatisim, "Honesty is the Best Policy," and over a long period is the very keystone of all successful business. The nation-wide "Truth in Advertising" movement is gradually eliminating the hackneyed phrase, "Caveat Emptor," a relic of the Middle Ages, and substituting in its place, "Caveat Vendor," -- let the seller beware. Let him beware because there are three laws against advertising misrepresentation:

(1) The law of pride which animates the average business man toward leadership in his particular field -- a leadership which can only be achieved by community recognition as the result of fair and honest trading practices;

and trade mark names, bait advertising, misleading statements in reference to the "complete" line of sizes and colors for sale, and the flagrant misuse of comparative prices have come under the ban of this advertising- and merchandising-purging organization. It will readily be seen that the Bureau movement has carried its work into many lines of activity.

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(1) The law of pride which animates the average business man toward leadership in his particular field -- a leadership which can only be achieved by community recognition as the result of fair and honest trading practices;

(2) The law of self-preservation which has proved that the business death rate among liars is amazingly high; and,

(3) The law of the legislatures which seeks to keep men straight and punish those who fail to recognize the first two laws.

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APPENDIX

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Judge A

JUDGE'S PER CENTAGE SHEET

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	2.6	.3	96.2	1.		.7	99.3
2.			100.	2.			100.
3.	2.1	2.7	95.2	3.	.3	.3	99.4
4.			100.	4.	.3	.6	99.1
5.			100.	5.		1.4	98.6
6.			100.	6.	.2		99.8
7.			100.	7.	7.4		92.6
8.	3.7	1.9	93.4	8.			100.
9.	.2	.6	99.2	9.	.7	3.8	95.5
10.			----	10.		2.8	97.2
11.			100.	11.			100.
12.			100.	12.	11.3		88.7
13.			100.	13.	1.2		98.8
14.	93.8	.7	5.5	14.	7.2	37.8	54.9
15.			100.	15.			100.
16.	3.3		96.7	16.			100.
17.			100.	17.			100.
18.			----	18.		1.3	98.7
19.			100.	19.	1.3	.3	98.4
20.			100.	20.			100.
21.		1.9	98.1	21.		18.3	81.7
22.	2.0	.3	97.7	22.		.3	99.7
23.		1.0	99.0	23.		.7	99.3
24.		.3	99.7	24.			100.
25.		.4	99.6	25.			100.
Total	5.1	.6	94.3	Total	1.1	2.6	96.3

Judge B

JUDGE'S PER CENTAGE SHEET B

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	6.6		93.4	1.	2.4	.2	97.4
2.		1.1	98.9	2.	1.8		98.2
3.			100.	3.	2.9	.8	96.3
4.	7.4		92.6	4.	.5	1.5	98.0
5.			100.	5.		1.4	98.6
6.			100.	6.		1.3	98.7
7.		2.0	98.0	7.	5.8	1.5	92.7
8.	1.1	.6	98.3	8.	1.7	9.6	88.7
9.	2.4	1.0	96.6	9.	2.7	.8	96.5
10.			----	10.		4.7	95.3
11.			100.	11.			100.
12.	25.9	29.1	45.0	12.	2.1	1.0	96.9
13.			100.0	13.			100.
14.	30.2	66.6	3.2	14.	43.9	54.4	1.7
15.			100.	15.			100.
16.		1.0	99.0	16.			100.
17.		4.1	95.9	17.			100.
18.			----	18.	.7		99.3
19.			100.	19.	1.6	.9	97.5
20.			100.	20.	2.2	3.5	94.3
21.			100.	21.	4.6		95.4
22.			100.	22.	4.1	.8	95.1
23.			100.	23.			100.
24.			100.	24.			100.
25.	1.3		98.7	25.	3.3	.8	95.9
Total	3.4	3.4	93.2	Total	2.8	2.2	95.0

JUDGE'S PER CENTAGE SHEET

	X Judge				Y Judge			
	Class.	Obj.	Song	Ratio	Class.	Obj.	Song	Ratio
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
13.								
14.								
15.								
16.								
17.								
18.								
19.								
20.								
21.								
22.								
23.								
24.								
25.								
Total								

JUDGE'S PER CENTAGE SHEET

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	1.8	1.6	96.6	1.	3.2	.9	95.9
2.			100.	2.			100.
3.	6.1		93.9	3.	.6	.8	98.6
4.	1.5		98.5	4.	1.3	.4	98.3
5.			100.	5.			100.
6.			100.	6.			100.
7.	.4	.8	98.8	7.			100.
8.			100.	8.	1.8		98.2
9.	.3		98.7	9.	2.9	1.1	96.0
10.			----	10.	.5		99.5
11.			100.	11.			100.
12.	11.7		88.3	12.	1.4	.7	97.9
13.			100.	13.		2.5	97.5
14.	23.0	48.0	29.0	14.	29.8	23.2	47.0
15.			100.	15.			100.
16.			100.	16.			100.
17.			100.	17.			100.
18.			----	18.			100.
19.			100.	19.		.3	99.7
20.			100.	20.		1.6	98.4
21.	.8		99.2	21.	5.3		94.7
22.	9.2	7.7	83.1	22.	1.1	2.6	96.3
23.			100.	23.			100.
24.	.5		99.5	24.			100.
25.	3.7	13.8	83.5	25.			100.
Total	2.4	3.4	94.2	Total	2.2	1.2	96.6

Judge D

JUDGE'S PER CENTAGE SHEET D

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	.7	1.8	97.5	1.			100.
2.	2.0		98.0	2.			100.
3.	3.6		96.4	3.	11.0	6.9	82.1
4.	.5	1.4	98.1	4.	9.5	4.9	85.6
5.			100.	5.			100.
6.		1.8	98.2	6.		5.9	94.1
7.	8.6	.3	91.1	7.	19.6		80.4
8.	3.2	1.7	95.1	8.	3.1		96.9
9.	.1	1.0	98.9	9.	1.1	1.1	97.8
10.			----	10.			100.
11.			100.	11.			100.
12.		29.1	70.9	12.	1.0	6.5	92.5
13.			100.	13.			100.
14.		95.9	4.1	14.		96.3	3.7
15.			100.	15.			100.
16.			100.	16.	.6	1.4	98.0
17.		4.1	95.9	17.		2.1	97.9
18.			----	18.			100.
19.		4.1	95.9	19.	3.4		96.6
20.			100.	20.	1.0		99.0
21.			100.	21.	22.7	2.9	74.4
22.	1.7		98.3	22.	.1		99.9
23.	.9		99.1	23.			100.
24.	.9		99.1	24.	.2		99.8
25.	.9		99.1	25.	.4	.2	99.4
Total	1.6	5.0	93.4	Total	4.8	4.4	90.8

Judge E

JUDGE'S PER CENTAGE SHEET E

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	2.1	.7	97.2	1.		1.7	98.3
2.			100.	2.			100.
3.			100.	3.	.9	9.2	90.0
4.			100.	4.	1.8	3.3	95.0
5.			100.	5.			100.
6.			100.	6.		.8	99.2
7.		10.1	89.9	7.		7.1	92.9
8.	1.4	.2	98.4	8.			100.
9.	3.2		96.8	9.	11.2	10.3	78.5
10.			----	10.	.2	9.1	90.7
11.			100.	11.			100.
12.		2.9	97.1	12.	48.5	.6	51.0
13.		86.6	13.4	13.			100.
14.	98.9		1.1	14.	65.1		34.9
15.			100.	15.			100.
16.	.8		99.2	16.	2.2		97.8
17.	3.1		96.9	17.			100.
18.			----	18.			100.
19.			100	19.	1.4	3.2	95.4
20.			100	20.	.6	1.5	97.9
21.			100	21.			100.
22.	2.2	.6	97.2	22.	.4	1.1	98.5
23.		.3	99.7	23.		.4	99.6
24.			100.	24.			100.
25.			100.	25.		.1	99.9
Total	5.2	.9	93.9	Total	6.9	4.8	88.3

	X Papier			Y Papier		
	Chaux.	Obj.	Zord.	Boîte.	Objets.	Obj.	Bourd.	Boîte.
1.					1.			
2.					2.			
3.					3.			
4.					4.			
5.					5.			
6.					6.			
7.					7.			
8.					8.			
9.					9.			
10.					10.			
11.					11.			
12.					12.			
13.					13.			
14.					14.			
15.					15.			
16.					16.			
17.					17.			
18.					18.			
19.					19.			
20.					20.			
21.					21.			
22.					22.			
23.					23.			
24.					24.			
25.					25.			
Total					Total			

Judge F

JUDGE'S PER CENTAGE SHEET

F

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.		12.1	87.9	1.		1.9	98.1
2.	5.1		94.9	2.		1.4	98.6
3.			100.	3.	.7	2.2	97.1
4.	.9	.9	98.2	4.	.9	1.4	97.7
5.			100.	5.		1.7	98.3
6.			100.	6.		.7	99.3
7.	7.1		92.9	7.	16.3		83.7
8.	1.7	1.0	97.3	8.	1.5	1.8	96.7
9.	1.0		99.0	9.	4.9	1.5	93.6
10.			----	10.		2.0	98.0
11.			100.	11.			100.
12.		38.8	61.2	12.	7.4	.9	91.6
13.			100.	13.			100.
14.	93.7		6.3	14.	13.5	49.1	37.4
15.			100.	15.		6.1	93.9
16.	.5		99.5	16.		6.5	93.5
17.			100.	17.			100.
18.			----	18.			100.
19.		1.7	98.3	19.		.3	99.7
20.			100.	20.	2.0		98.0
21.			100.	21.	25.0	7.3	67.7
22.	5.7		94.3	22.	3.2		96.9
23.			100.	23.			100.
24.			100.	24.			100.
25.	3.7		96.3	25.			100.
Total	5.6	1.9	92.5	Total	3.3	2.6	94.1

JUDGE'S PER CENTAGE SHEET

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.		21.7	78.3	1.		13.1	86.9
2.		5.1	94.9	2.			100.
3.		18.5	81.5	3.		10.1	89.9
4.		10.2	89.8	4.		1.5	98.5
5.			100.	5.			100.
6.		1.2	98.8	6.			100.
7.			100.	7.		49.9	50.1
8.			100.	8.			100.
9.		7.0	93.0	9.		11.6	88.4
10.			----	10.			100.
11.			100.	11.			100.
12.			100.	12.		.6	99.4
13.			100.	13.			100.
14.		100.	0.0	14.		91.4	8.6
15.			100.	15.			100.
16.			100.	16.			100.
17.			100.	17.			100.
18.			----	18.			100.
19.			100.	19.			100.
20.			100.	20.			100.
21.			100.	21.		17.4	82.6
22.	.4		99.6	22.	.3	.8	98.9
23.			100.	23.			100.
24.			100.	24.			100.
25.			100.	25.			100.
Total	.03	9.5	90.5	Total	.01	8.6	91.4

JUDGE'S PER CENTAGE SHEET H

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.		19.6	80.4	1.		.4	99.6
2.			100.	2.			100.
3.			100.	3.		4.4	95.6
4.		.4	99.6	4.	.4	5.9	93.7
5.			100.	5.			100.
6.			100.	6.			100.
7.		19.1	80.9	7.		9.2	90.8
8.		4.6	95.4	8.		10.2	89.8
9.		11.4	88.6	9.	1.7	16.9	81.4
10.			----	10.		9.7	90.3
11.		10.8	89.2	11.			100.
12.		63.1	36.9	12.		2.7	97.3
13.			100.	13.			100.
14.	92.3		7.7	14.	96.2	3.8	0.0
15.			100.	15.		100.	0.0
16.	33.8		66.2	16.			100.
17.			100.	17.			100.
18.			----	18.			100.
19.			100.	19.	13.9	10.7	75.4
20.			100.	20.			100.
21.			100.	21.		34.9	65.1
22.		6.8	93.2	22.		10.1	89.9
23.			100.	23.			100.
24.			100.	24.			100.
25.		4.5	95.5	25.			100.
Total	5.0	7.2	87.8	Total	2.8	10.2	87.0

JUDGE'S PER CENTAGE SHEET

X Roger				Y Roger			
Class.	Obj.	Rend.	Basis.	Class.	Obj.	Rend.	Basis.
1.				1.			
2.				2.			
3.				3.			
4.				4.			
5.				5.			
6.				6.			
7.				7.			
8.				8.			
9.				9.			
10.				10.			
11.				11.			
12.				12.			
13.				13.			
14.				14.			
15.				15.			
16.				16.			
17.				17.			
18.				18.			
19.				19.			
20.				20.			
21.				21.			
22.				22.			
23.				23.			
24.				24.			
25.				25.			
Total				Total			

JUDGE'S PER CENTAGE SHEET I

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	5.8	4.3	89.9	1.		.6	99.4
2.	.1		99.9	2.			100.
3.	.7		99.3	3.	5.6		94.4
4.			100.	4.	.3	.2	99.5
5.			100.	5.			100.
6.			100.	6.			100.
7.			100.	7.			100.
8.	.4	.3	99.3	8.	8.3		91.7
9.		.3	99.7	9.	5.7	.2	94.1
10.			----	10.			100.
11.			100.	11.			100.
12.			100.	12.	5.3	6.6	88.1
13.			100.	13.			100.
14.		16.5	83.5	14.	3.4	51.0	45.6
15.			100.	15.			100.
16.			100.	16.			100.
17.		2.1	97.9	17.			100.
18.			----	18.			100.
19.	1.4		98.6	19.	4.2	16.0	79.8
20.			100.	20.	4.0		96.0
21.	32.2		67.8	21.			100.
22.			100.	22.	5.4		94.6
23.	1.1		98.9	23.			100.
24.			100.	24.			100.
25.			100.	25.			100.
Total	1.5	1.4	97.1	Total	2.9	2.0	95.1

Judge J

JUDGE'S PER CENTAGE SHEET

J

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	.3	.5	99.2	1.	.1	2.9	97.0
2.	.1		99.1	2.			100.
3.		.4	99.6	3.	.3	1.0	98.7
4.		.2	99.8	4.	2.9	.4	96.7
5.			100.	5.			100.
6.			100.	6.			100.
7.			100.	7.		2.3	97.7
8.	1.6		98.4	8.		1.7	98.3
9.	.1		99.9	9.	1.4	.4	98.2
10.			----	10.			100.
11.			100.	11.			100.
12.			100.	12.	2.0		98.0
13.			100.	13.			100.
14.	7.4	23.3	69.3	14.		31.0	69.0
15.			100.	15.			100.
16.			100.	16.			100.
17.			100.	17.			100.
18.			----	18.			100.
19.			100.	19.	.7		99.3
20.			100.	20.			100.
21.			100.	21.		.4	99.6
22.			100.	22.		1.5	98.5
23.		2.9	97.1	23.			100.
24.			100.	24.			100.
25.		3.7	96.3	25.			100.
Total	.6	1.3	98.1	Total	1.1	1.3	97.6

Judge K

JUDGE'S PER CENTAGE SHEET K

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.		4.0	96.0	1.		9.5	90.5
2.		.1	99.9	2.			100.
3.		4.1	95.9	3.		6.5	93.5
4.			100.	4.	.1	7.9	92.0
5.			100.	5.		11.2	88.8
6.			100.	6.		4.6	95.4
7.		.8	99.2	7.		5.0	95.0
8.		.5	99.5	8.		.5	99.5
9.			100.	9.		16.2	83.8
10.			----	10.		13.7	86.3
11.			100.	11.			100.
12.			100.	12.		7.0	93.0
13.			100.	13.		7.4	92.6
14.	50.0	25.0	25.0	14.	19.3	38.6	42.1
15.			100.	15.	4.4		95.6
16.		1.2	98.8	16.		6.0	94.0
17.			100.	17.			100.
18.			----	18.			100.
19.		32.5	67.5	19.		29.8	70.2
20.			100.	20.		2.0	98.0
21.		44.2	54.8	21.		66.6	33.4
22.		12.2	87.8	22.		12.7	87.3
23.		.4	99.6	23.		.1	99.9
24.			100.	24.			100.
25.		6.8	93.2	25.		8.5	91.5
Total	2.1	4.3	93.6	Total	.4	12.5	87.1

JUDGE'S PER CENTAGE SHEET

	X Paper			Y Paper		
	Class.	Obj.	Bond.	Battle.	Class.	Obj.	Board.	Battle.
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
13.								
14.								
15.								
16.								
17.								
18.								
19.								
20.								
21.								
22.								
23.								
24.								
25.								
Total				Total				

Judge L

I77

L

JUDGE'S PER CENTAGE SHEET

X Paper

Class.	Obj.	Bord.	Satis.
1.		9.1	90.9
2.			100.
3.	4.6	3.9	91.5
4.			100.
5.		33.9	66.1
6.			100.
7.		11.9	87.1
8.	4.6	.9	94.5
9.		3.3	96.7
10.			----
11.		.7	99.3
12.		29.1	70.9
13.			100.
14.	37.8	32.7	29.5
15.			100.
16.			100.
17.		1.5	98.5
18.			----
19.		33.1	66.9
20.			100.
21.		3.6	96.4
22.	.6	2.8	96.6
23.		.5	99.5
24.			100.
25.		4.3	95.7
Total	2.8	4.9	92.3

Y Paper

Class.	Obj.	Board.	Satis.
1.	.6	6.3	93.1
2.			100.
3.	6.1	5.6	88.2
4.		3.2	96.8
5.		3.0	97.0
6.		3.3	96.7
7.	4.6	7.1	88.3
8.		5.3	94.7
9.	5.3	5.0	89.7
10.		2.2	97.8
11.			100.
12.	6.7	5.3	88.0
13.			100.
14.	24.0	29.0	47.0
15.	4.8		95.2
16.	.7	7.6	91.7
17.			100.
18.			100.
19.	24.4	11.6	64.0
20.	3.2	7.4	89.4
21.	17.4	21.1	61.5
22.	.4	2.4	97.2
23.			100.
24.			100.
25.		3.8	96.2
Total	4.3	5.6	90.1

Judges M

Merchandising Experts

JUDGE'S PER CENTAGE SHEET

X Paper				Y Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	7.5	1.7	90.7	1.	1.2	4.8	93.9
2.	2.6	4.3	93.1	2.	2.9	12.0	85.1
3.		20.5	79.5	3.	8.7	30.7	60.6
4.		28.8	71.2	4.	9.0	27.4	63.6
5.			100.	5.			100.
6.		.2	99.8	6.			100.
7.		7.5	92.5	7.		11.2	88.8
8.	.3	.3	99.4	8.	.3	.6	99.1
9.			100.	9.	.7		99.3
10.			----	10.			100.
11.		20.9	79.1	11.		9.1	90.9
12.		3.2	96.8	12.	14.9	23.9	61.2
13.			100.	13.			100.
14.	89.6	5.4	5.0	14.	82.6		17.4
15.			100.	15.			100.
16.	.5	3.1	96.4	16.	1.5	4.6	94.0
17.			100.	17.			100.
18.			----	18.		8.0	92.0
19.		.4	99.6	19.	.5		99.5
20.			100.	20.	3.3	1.4	95.3
21.			100.	21.		2.2	97.8
22.	.5	2.5	97.0	22.	1.3	3.5	95.2
23.			100.	23.	2.9	5.4	91.7
24.	1.8	.3	97.9	24.	.3	1.0	98.7
25.	2.7	.3	97.0	25.			100.
Total	5.1	5.8	89.1	Total	5.7	11.4	82.9

JUDGE'S PER DIEM SHEET

X Paper				Y Paper			
Class.	Obj.	Ford.	Bottle.	Class.	Obj.	Board.	Bottle.
1.				1.			
2.				2.			
3.				3.			
4.				4.			
5.				5.			
6.				6.			
7.				7.			
8.				8.			
9.				9.			
10.				10.			
11.				11.			
12.				12.			
13.				13.			
14.				14.			
15.				15.			
16.				16.			
17.				17.			
18.				18.			
19.				19.			
20.				20.			
21.				21.			
22.				22.			
23.				23.			
24.				24.			
25.				25.			
Total				Total			

Judge A

JUDGE'S PER CENTAGE SHEET

A Paper

Class.	Obj.	Bord.	Satis.
1.	2.7	2.0	95.3
2.		1.0	99.0
3.	3.5	2.0	94.5
4.		1.3	98.7
5.		.8	99.2
6.			100.
7.			100.
8.	2.1	3.2	94.7
9.		1.8	98.2
10.	3.0	3.3	93.7
11.			100.
12.			100.
13.		2.0	98.0
14.	89.5		10.5
15.			100.
16.		6.0	94.0
17.			100.
18.		2.0	98.0
19.			100.
20.			100.
21.	2.0	1.0	97.0
22.	4.2	2.1	93.7
23.		.3	99.7
24.		2.0	98.0
25.		.3	99.7
Total	4.3	1.2	94.5

B Paper

Class.	Obj.	Board.	Satis.
1.	2.0	1.6	96.4
2.		.8	99.2
3.	2.3	2.3	95.4
4.		.9	99.1
5.		1.0	99.0
6.	.5	.5	99.0
7.	2.7	3.0	94.3
8.			100.
9.		2.6	97.4
10.	5.1	2.8	92.1
11.			100.
12.		10.0	90.0
13.			100.
14.	79.3		20.7
15.			100.
16.		7.0	93.0
17.			100.
18.		3.0	97.0
19.		1.7	98.3
20.			100.
21.	2.5	2.7	94.8
22.	4.0	.2	95.8
23.		.4	99.6
24.		1.8	98.2
25.			100.
Total	3.9	1.7	94.4

JUDGE'S PER CENTAGE SHEET

A. Paper

Class.	Obj.	Bord.	Satis.
1.	5.1	2.4	92.5
2.		.9	99.1
3.	6.0		94.0
4.	5.4	3.0	91.6
5.		1.2	98.8
6.			100.
7.		2.9	97.1
8.		1.8	98.2
9.	2.3	1.0	96.7
10.	2.3	3.6	94.1
11.			100.
12.	35.7	20.3	44.0
13.		2.0	98.0
14.	45.4	52.3	2.3
15.		1.9	98.1
16.		4.0	96.0
17.		5.8	94.2
18.		3.0	97.0
19.		.9	99.1
20.		.8	99.2
21.	2.0	.7	97.3
22.	3.0	.2	96.8
23.			100.
24.		7.0	93.0
25.			100.
Total	4.3	4.6	91.1

B Paper

Class.	Obj.	Board.	Satis.
1.	3.5		96.5
2.		1.3	98.7
3.	6.0	.9	93.1
4.	4.3	3.0	92.7
5.		.6	99.4
6.			100.
7.	4.0	4.6	91.4
8.		1.0	99.0
9.	2.0	.8	97.2
10.	3.6	2.2	94.2
11.			100.
12.	31.0	20.1	48.9
13.		2.7	97.3
14.	43.9	55.4	.7
15.		.8	99.2
16.	2.0	2.4	95.6
17.		3.0	97.0
18.		3.2	96.8
19.	.3	3.0	96.7
20.		1.9	98.1
21.	5.0	1.0	94.0
22.	3.8		96.2
23.			100.
24.		6.7	93.3
25.			100.
Total	4.4	4.6	91.0

Judge C

JUDGE'S PER CENTAGE SHEET

A Paper

Class.	Obj.	Bord.	Satis.
1.	1.6	1.8	96.6
2.			100.
3.	7.0	.1	92.9
4.	2.0	.9	97.1
5.			100.
6.			100.
7.			100.
8.	1.0	.9	98.1
9.	2.0	.2	97.8
10.		2.0	98.0
11.			100
12.	12.0	2.5	85.5
13.			100.
14.	50.0	25.0	25.0
15.		2.0	98.0
16.			100.
17.	.4	1.4	98.2
18.		2.9	97.1
19.			100.
20.		.9	99.1
21.		2.8	97.2
22.	15.0	4.9	80.1
23.			100.
24.			99.7
25.		.1	99.9
Total	3.6	1.9	94.5

B Paper

Class.	Obj.	Board.	Satis.
1.	5.0	.9	94.1
2.		1.0	99.0
3.	1.1	.2	98.7
4.	2.8		97.2
5.			100.
6.			100.
7.	.8	.4	98.8
8.		2.0	98.0
9.	2.8	1.1	96.1
10.		1.0	99.0
11.		1.0	99.0
12.	6.0	6.1	87.9
13.		4.0	96.0
14.	30.2	25.4	44.4
15.		1.9	98.1
16.		1.9	98.1
17.	2.0	1.3	96.7
18.		2.1	97.9
19.	.4	1.0	98.6
20.	1.4	1.2	97.4
21.	1.0	2.3	96.7
22.	10.9	1.7	87.4
23.		1.0	99.0
24.	1.2	.5	98.3
25.			100.
Total	2.6	2.3	95.1

JUDGE'S PER CENTAGE SHEET

A Paper				B Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	2.4	2.2	95.4	1.	3.0	.5	95.5
2.		2.0	98.0	2.		1.0	99.0
3.	5.0		95.0	3.	19.3		80.2
4.		.7	99.3	4.	6.0	6.5	87.5
5.			100.	5.			100.
6.		1.9	98.1	6.		4.8	95.2
7.	6.3	5.0	88.7	7.			78.5
8.		5.8	94.2	8.		6.1	93.9
9.		.2	99.8	9.		3.2	96.8
10.		.2	99.8	10.		1.1	98.9
11.			100.	11.			100.
12.	20.3	14.2	65.5	12.	20.6	9.0	70.4
13.			100.	13.			100.
14.	65.0	30.0	5.0	14.	66.0	29.5	4.5
15.			100.	15.			100.
16.			100.	16.		3.0	97.0
17.		4.2	95.8	17.		1.2	98.8
18.			100.	18.			100.
19.		5.2	94.8	19.		4.3	95.7
20.			100.	20.			100.
21.		3.0	97.0	21.	6.0	3.3	90.7
22.		1.6	98.4	22.	1.0	.5	98.5
23.		1.0	99.0	23.			100.
24.		1.0	99.0	24.	1.0	.1	98.9
25.		.8	99.2	25.		.7	99.3
Total	4.0	3.2	92.8	Total	4.9	3.0	92.1

Judge E

JUDGE'S PER CENTAGE SHEET

A Paper

Class.	Obj.	Bord.	Satis.
1.	2.5	.3	96.2
2.			100.
3.			100.
4.		2.0	98.0
5.		1.0	99.0
6.		1.0	99.0
7.	1.0	.9	98.1
8.	1.0	1.6	97.4
9.	2.8	1.6	95.6
10.	1.0	.1	98.9
11.			100.
12.	10.0		90.0
13.		2.0	98.0
14.	74.0	22.6	3.4
15.			100.
16.	.9	.9	98.2
17.			100.
18.			100.
19.		2.0	98.0
20.			100.
21.		4.9	95.1
22.		3.7	96.3
23.		1.0	99.0
24.			100.
25.			100.
Total	3.7	1.8	94.5

B Paper

Class.	Obj.	Board.	Satis.
1.	2.2	2.4	95.4
2.			100.
3.		2.0	98.0
4.		5.0	95.0
5.		1.0	99.0
6.		.9	99.1
7.	2.4	4.9	92.7
8.		1.0	99.0
9.	16.0	5.0	79.0
10.	6.0	3.9	90.1
11.			100.
12.	40.0	8.0	52.0
13.			100.
14.	85.3	4.2	10.5
15.			100.
16.	2.2	2.1	95.7
17.			100.
18.			100.
19.		4.4	95.6
20.		2.4	97.6
21.		4.7	95.3
22.		2.6	97.4
23.		.9	99.1
24.			100.
25.			100.
Total	6.2	2.2	91.6

Judge F

JUDGE'S PER CENTAGE SHEET

A Paper

Class.	Obj.	Bord.	Satis.
1.	12.0		88.0
2.	5.1	1.0	93.9
3.		1.0	99.0
4.		2.8	97.2
5.			100.
6.			100.
7.	8.0	.8	91.2
8.		3.7	96.3
9.		2.0	98.0
10.		.9	99.1
11.			100.
12.	35.0	6.0	59.0
13.			100.
14.	53.8	40.7	5.5
15.		6.2	93.8
16.		1.6	98.4
17.			100.
18.			100.
19.		4.8	95.2
20.		2.9	97.1
21.	4.0	2.0	94.0
22.		7.4	92.6
23.			100.
24.			100.
25.		4.4	95.6
Total	4.7	3.5	91.8

B Paper

Class.	Obj.	Board.	Satis.
1.	9.0	.9	90.1
2.	3.0	1.8	95.2
3.	3.6	1.2	95.2
4.		2.4	97.6
5.			100.
6.			100.
7.	10.0	4.6	85.4
8.		3.7	96.3
9.	4.0	3.4	92.6
10.		2.8	97.2
11.			100.
12.	34.6	11.0	54.4
13.			100.
14.	60.8	31.8	7.4
15.		6.3	93.7
16.		7.6	92.4
17.			100.
18.			100.
19.		4.7	95.3
20.		3.0	97.0
21.	10.0	6.7	83.3
22.		8.4	91.6
23.			100.
24.			100.
25.			100.
Total	5.4	4.0	90.6

JUDGE'S PER CENTAGE SHEET

A Paper

Class.	Obj.	Bord.	Satis.
1.		22.6	77.4
2.		6.8	93.2
3.		19.8	80.2
4.		11.8	88.2
5.			100.
6.		4.4	95.6
7.			100.
8.		5.8	94.2
9.		10.0	90.0
10.	15.0	10.0	75.0
11.			100.
12.		9.8	90.2
13.			100.
14.		94.5	5.5
15.		1.8	98.2
16.		.8	99.2
17.		11	99.9
18.		1.0	99.0
19.		2.0	98.0
20.		3.0	97.0
21.	4.8	2.0	93.2
22.		4.7	95.3
23.			100.
24.			100.
25.			100.
Total	.8	8.4	90.8

B Paper

Class.	Obj.	Board.	Satis.
1.		14.1	85.9
2.		1.0	99.0
3.		18.8	81.2
4.		12.6	87.4
5.			100.
6.			100.
7.		54.8	45.2
8.		5.3	94.7
9.		19.5	80.5
10.	15.0	5.0	80.0
11.			100.
12.		9.3	90.7
13.		2.0	98.0
14.		94.6	5.4
15.		2.7	97.3
16.		2.3	97.7
17.		1.0	99.0
18.		1.0	99.0
19.		2.0	98.0
20.		5.3	94.7
21.	5.0	5.6	89.4
22.		7.1	92.9
23.			100.
24.		1.0	99.0
25.			100.
Total	.8	10.6	88.6

JUDGE'S PER CENTAGE SHEET

A Judge				B Judge			
Class.	Phil.	Bord.	Basin.	Class.	Phil.	Board.	Basin.
1.		29.6	77.4	1.		14.1	85.9
2.		6.8	93.2	2.		1.0	99.0
3.		19.8	80.2	3.		18.0	82.0
4.		11.8	88.2	4.		12.6	87.4
5.			100.	5.			100.
6.		4.4	95.6	6.			100.
7.			100.	7.		84.8	45.2
8.		5.8	94.2	8.		6.3	94.7
9.		10.0	90.0	9.		19.3	80.7
10.	15.0	10.0	75.0	10.	15.0	5.0	80.0
11.			100.	11.			100.
12.		0.8	99.2	12.		6.3	93.7
13.			100.	13.		2.0	98.0
14.		94.8	5.7	14.		94.8	5.4
15.		1.8	98.3	15.		2.7	97.3
16.		.8	99.2	16.		2.7	97.3
17.		11	99.4	17.		1.0	99.0
18.		1.0	99.0	18.		1.0	99.0
19.		3.0	98.0	19.		3.0	96.0
20.		3.0	97.3	20.		3.3	96.7
21.	4.8	2.0	93.2	21.	5.0	5.6	89.4
22.		4.7	95.3	22.		7.1	92.9
23.			100.	23.			100.
24.			100.	24.		1.0	99.0
25.			100.	25.			100.
Total		9.4	90.6	Total		10.5	89.5

JUDGE'S PER CENTAGE SHEET

A Paper				B Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	20.0	4.7	75.3	1.	16.6	13.0	80.4
2.			100.	2.			100.
3.		1.8	98.2	3.		6.7	93.3
4.		1.3	98.7	4.		7.4	92.6
5.			100.	5.			100.
6.			100.	6.			100.
7.	10.0	10.9	78.1	7.	6.0	5.3	88.7
8.		9.3	90.7	8.		8.6	91.4
9.	16.0	3.3	80.7	9.	14.8	16.0	79.2
10.		8.6	91.4	10.	5.6	6.3	88.1
11.		12.8	87.2	11.		11.8	88.2
12.	35.8	2911	35.1	12.	40.1	29.0	30.9
13.		1.0	99.0	13.		1.8	98.2
14.	94.5		5.5	14.	96.0		4.0
15.			100.	15.		2.0	98.0
16.	11.0	10.0	79.0	16.	12.0	9.9	78.1
17.			100.	17.			100.
18.			100.	18.			100.
19.		1.8	98.2	19.	16.0	10.2	73.8
20.			100.	20.		1.0	99.0
21.		2.7	97.3	21.	20.0	19.8	60.2
22.	9.9		90.1	22.	19.6		80.4
23.		.5	99.5	23.		.9	99.1
24.		1.8	98.2	24.		2.0	98.0
25.		.5	99.5	25.		1.8	98.2
Total	7.9	4.0	88.1	Total	9.9	6.1	84.0

Judge I

JUDGE'S PER CENTAGE SHEET

A Paper				B Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	8.9	.9	90.2	1.		1.6	98.4
2.		1.1	98.9	2.		1.0	99.0
3.		1.7	98.3	3.		7.8	92.2
4.		.8	99.2	4.		.6	99.4
5.			100.	5.			100.
6.		1.0	99.0	6.		1.0	99.0
7.			100.	7.		2.0	98.0
8.	1.0	.9	98.1	8.	9.0	.4	90.6
9.		4.7	95.3	9.	7.0	3.0	90.0
10.		3.8	96.2	10.		3.3	96.7
11.			100.	11.			100.
12.	6.0	3.3	90.7	12.	6.4	4.4	89.2
13.		1.0	99.0	13.		1.0	99.0
14.	10.6	9.3	80.1	14.	14.0	10.3	75.7
15.			100.	15.		1.0	99.0
16.		1.0	99.0	16.			100.
17.		4.8	95.2	17.		5.9	94.1
18.			100.	18.		3.0	97.0
19.		4.8	95.2	19.	16.3	13.3	70.4
20.		2.3	97.7	20.	3.4	3.4	93.2
21.	22.1	17.1	60.8	21.	23.7	20.7	55.6
22.	6.0	4.9	89.1	22.	7.2	5.6	87.2
23.		7.7	92.3	23.		7.4	92.6
24.			100.	24.			100.
25.			100.	25.			100.
Total	2.2	2.8	95.0	Total	3.5	3.9	92.6

Judge J

JUDGE'S PER CENTAGE SHEET

A Paper				B Paper			
Class.	Obj.	Bord.	Satis.	Class.	Obj.	Board.	Satis.
1.	1.1	.2	98.7	1.	2.0	1.0	97.0
2.	1.4	.4	98.2	2.		2.7	97.3
3.		1.8	98.2	3.	4.0	1.4	94.6
4.		1.3	98.7	4.		5.7	94.3
5.			100.	5.			100.
6.			100.	6.			100.
7.		3.0	97.0	7.		2.7	97.3
8.		2.2	97.8	8.		4.8	95.2
9.	4.0	1.0	95.0	9.	3.0	.6	96.4
10.	5.0	.7	94.3	10.	5.0	.3	94.7
11.		.6	99.4	11.		1.0	99.0
12.	7.0	2.9	90.1	12.	6.0	4.0	90.0
13.		1.8	98.2	13.		1.9	98.1
14.	29.3	14.0	56.7	14.	30.0	13.8	56.2
15.		1.9	98.1	15.		1.7	98.3
16.		.7	99.3	16.		.8	99.2
17.		1.8	98.2	17.		2.9	97.1
18.		1.5	98.5	18.		3.5	96.5
19.		1.7	98.3	19.		2.6	97.4
20.			100.	20.			100.
21.	5.0	2.0	93.0	21.	4.0	2.7	93.3
22.	2.1	2.8	95.1	22.	3.5	2.4	94.1
23.		2.0	98.0	23.		1.0	99.0
24.		1.0	99.0	24.		2.0	98.0
25.			100.	25.			100.
Total	1.0	1.3	97.7	Total	2.3	2.4	95.3

JUDGE'S PEN CHECKOFF SHEET

A Paper

Class.	Obj.	Bord.	Subj.	Class.	Obj.	Board.	Subj.
1.	1.1	.2	98.7	1.	.2	1.0	97.0
2.	1.4	.4	98.2	2.		2.7	97.3
3.		1.8	98.2	3.	4.0	1.4	94.6
4.		1.3	98.7	4.		5.7	94.3
5.			100.	5.			100.
6.			100.	6.			100.
7.		3.0	97.0	7.		2.7	97.3
8.		2.2	97.8	8.		4.8	95.2
9.		4.0	96.0	9.	3.0	.0	97.0
10.	5.0	.7	94.3	10.	4.0	.3	91.7
11.		.8	99.4	11.		1.0	99.0
12.	7.0	3.9	93.1	12.	6.0	4.0	90.0
13.		1.8	98.2	13.		1.8	98.2
14.	29.3	1.0	68.7	14.	30.0	12.8	56.2
15.		1.9	98.1	15.		1.7	98.3
16.		.7	99.3	16.		.8	99.2
17.		1.8	98.2	17.		2.9	97.1
18.		1.8	98.2	18.		3.8	96.2
19.		1.7	98.3	19.		2.8	97.4
20.			100.	20.			100.
21.	6.0	2.0	93.0	21.	4.0	2.7	93.3
22.	2.1	2.8	95.1	22.	3.3	2.4	94.1
23.		.9	99.1	23.		1.0	99.0
24.		1.0	99.0	24.		2.0	98.0
25.			100.	25.			100.
Total	1.0	1.3	97.7	Total	2.3	2.4	95.3

B Paper

Judge K

JUDGE'S PER CENTAGE SHEET

A Paper

Class.	Obj.	Bord.	Satis.
1.		5.0	95.0
2.		5.3	94.7
3.		7.3	92.7
4.		7.4	92.6
5.		2.9	97.1
6.		2.9	97.1
7.		3.6	96.4
8.		2.0	98.0
9.	1.0		99.0
10.	15.2	9.2	75.6
11.		1.9	98.1
12.	1.0		99.0
13.		1.0	99.0
14.	59.1	20.2	20.7
15.		7.4	92.6
16.		5.8	94.2
17.		1.0	99.0
18.		2.6	97.4
19.		29.8	70.2
20.		.2	99.8
21.	22.3	32.0	45.7
22.	12.2	7.4	80.4
23.		5.6	94.4
24.			100.
25.			100.
Total	4.4	6.4	89.2

B Paper

Class.	Obj.	Board.	Satis.
1.	11.0	.8	88.2
2.		5.7	94.3
3.	2.2	6.4	91.4
4.		7.3	92.7
5.		5.8	94.2
6.		6.8	93.2
7.		5.0	95.0
8.		2.6	97.4
9.	6.0	1.6	92.4
10.	16.4	9.4	74.2
11.		2.8	97.2
12.	1.3		98.7
13.		10.0	90.0
14.	40.2	27.6	32.2
15.	7.0	2.4	90.6
16.		8.0	92.0
17.		1.0	99.0
18.		3.3	96.7
19.		27.6	72.4
20.		1.9	98.1
21.	25.4	44.3	30.3
22.	13.1	5.5	81.4
23.		4.9	95.1
24.		.9	99.1
25.		10.0	90.0
Total	4.9	8.1	87.0

Judge L

JUDGE'S PER CENTAGE SHEET

A Paper

Class.	Obj.	Bord.	Satis.
1.		14.5	85.5
2.		1.8	98.2
3.	6.7	4.3	89.0
4.		1.0	99.0
5.		39.8	60.2
6.			100.
7.	3.1	6.7	90.2
8.	2.2	2.2	95.6
9.		3.8	96.2
10.	6.7	2.1	91.2
11.		1.9	98.1
12.	20.2	14.4	65.4
13.		1.0	99.0
14.	35.9	39.9	24.2
15.		.9	99.1
16.	1.0	.9	98.1
17.		3.9	96.1
18.		1.8	98.2
19.		29.6	70.4
20.		1.3	98.7
21.	9.0	.9	90.1
22.	.7	12.0	87.3
23.		.5	99.5
24.		3.3	96.7
25.		7.6	92.4
Total	3.4	7.8	88.8

B Paper

Class.	Obj.	Board.	Satis.
1.		10.9	89.1
2.		1.6	98.4
3.	6.6	5.4	88.0
4.		3.3	96.7
5.		37.7	62.3
6.		2.3	97.7
7.	6.4	4.2	89.4
8.	2.0	2.1	95.9
9.		8.6	91.4
10.	3.2	3.4	93.4
11.		2.0	98.0
12.	22.0	11.2	66.8
13.		2.0	98.0
14.	38.8	33.9	25.3
15.		1.1	98.9
16.	6.0	2.7	91.3
17.		5.0	95.0
18.		1.7	98.3
19.		27.7	72.3
20.		14.6	85.4
21.	27.6	17.0	55.4
22.	.1	13.0	86.9
23.		1.0	99.0
24.		4.0	96.0
25.		8.3	91.7
Total	4.5	9.0	86.5

JUDGE'S PER CENTAGE SHEET

A Paper

Class.	Obj.	Bord.	Satis.
1.	7.7	3.8	88.5
2.	5.0	.9	94.1
3.	20.1	4.7	75.2
4.	15.0	14.2	70.8
5.		1.0	99.0
6.		1.9	98.1
7.		8.6	91.4
8.		2.8	97.2
9.		.8	99.2
10.	6.9	1.2	91.9
11.		24.4	75.6
12.	3.1	2.8	94.1
13.		1.0	99.0
14.	88.2	6.8	5.0
15.		.7	99.3
16.		4.6	95.4
17.		.9	99.1
18.		9.3	90.7
19.		1.8	98.2
20.		2.1	97.9
21.		2.6	97.4
22.	2.0	1.0	97.0
23.		.2	99.8
24.	2.0	2.3	95.7
25.	1.2	1.4	97.4
Total	6.0	4.1	89.9

B Paper

Class.	Obj.	Board.	Satis.
1.	5.9	4.9	89.2
2.	7.3	7.0	85.7
3.	25.9	15.9	58.2
4.	21.3	13.0	65.7
5.		.9	99.1
6.		2.2	97.8
7.		14.3	85.7
8.		2.7	97.3
9.		.7	99.3
10.	6.9	3.0	90.1
11.		21.3	78.7
12.	24.9	15.1	60.0
13.		1.0	99.0
14.	90.1	4.9	5.0
15.		1.3	98.7
16.		5.9	94.1
17.		1.0	99.0
18.		9.9	90.1
19.		1.9	98.1
20.	4.0	2.8	93.2
21.	1.6	1.2	97.2
22.	2.5	1.4	96.1
23.		9.2	90.8
24.	1.2	.2	98.6
25.	1.1	2.2	96.7
Total	7.7	5.8	86.5

	A Paper			I Paper			
	Class.	Phil.	Hard.	Class.	Phil.	Hard.	Soft.
1.							
2.							
3.							
4.							
5.							
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